



City of Modesto

**Urban Area
General Plan**

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**As adopted by the Modesto City Council
Resolution No. 95-409
August 15, 1995**

City of Modesto Urban Area General Plan

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CHAPTER I

INTRODUCTION TO THE MODESTO URBAN AREA GENERAL PLAN

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CHAPTER I

INTRODUCTION TO THE MODESTO URBAN AREA GENERAL PLAN

The City of Modesto, California is located in Stanislaus County, in the northern section of the San Joaquin Valley. The Central Pacific Railroad founded the original Modesto community in 1870, on a site near the Tuolumne River. Incorporated in 1884, the City of Modesto is the County seat of Stanislaus County, and has traditionally served as the regional center for Stanislaus County and the surrounding area.

A. WHAT IS THE GENERAL PLAN?

In California, the General Plan has often been described as a "blueprint for future growth" or a "constitution for future development" of a community. The General Plan for Modesto is best described as "a set of instructions on how to build a city." This concept is further underscored by our General Plan's full name, the Modesto Urban Area General Plan.

From a practical matter, the General Plan is a set of policies, charts, maps, and other graphics which collectively respond to California State Law requirements (Article 5 of the Government Code), structured to meet local conditions. The Modesto Urban Area General Plan is intended to guide the physical development of the Modesto community for a 30-year period, to the year 2025.

B. WHAT IS THE VISION OF THIS COMMUNITY?

Whether the General Plan is a blueprint, a constitution, or a set of instructions, it must be focused on a community vision. Past community accomplishments are described here, as well as the future vision which guides this General Plan.

1. Past Community Accomplishments

During the 1950's, a joint effort with staff from the County and surrounding cities produced the City's first General Plan. A bold vision of open space along the two natural waterways was part of this General Plan. This vision was implemented in the 1960's and 1970's with the establishment of the Tuolumne River Regional Park through a County-Ceres-Modesto Joint Powers Agency and Dry Creek Area Park in Modesto. This vision also included a system of expressways. Briggsmore Avenue is the first expressway to be implemented.

During the 1980's, the vision was expanded to include the Modesto Centre Plaza-Red Lion project which signifies a new investment in downtown; and a new vision of a neo-traditional village plan for Village One as a prototype for the future development of our urban sphere.

Modesto adopted its first General Plan in 1959. A comprehensive update of the General Plan occurred in 1973-1974. Since then, several individual elements of the General Plan have been updated, the most recent being the Housing Element in 1992.

2. Visions for the Future

The Modesto Urban Area General Plan provides an opportunity to address a variety of visions, as follows:

a. Overall Mission Statement

The following Mission Statement, originally developed by the General Plan Citizens' Steering Committee, remains the most appropriate statement to guide the overall future development of the Modesto community. Altered slightly to fit the context, the Mission Statement of the Modesto Urban Area General Plan reads as follows:

The Modesto Urban Area General Plan addresses the collective challenges of the future. The Urban Area General Plan presents a blueprint for the preservation of Modesto's "quality of life" while providing direction for the growth of business and industry to meet the needs of the future generations in the Modesto community.

b. Employment Opportunities

A guiding force in this General Plan is economic development to provide jobs to match population growth. This General Plan provides for a total of 3,800 acres of new Business Park and 1,300 acres of Commercial land uses. Through these new land uses, along with miscellaneous support commercial land uses in future residential areas, opportunities for land use supporting more than 200,000 new jobs are created in this General Plan.

c. More Comprehensive Planning

As Modesto grows, there will be a need for comprehensive planning approaches to deal with increasingly complex land development and public facilities and service issues. Chapter II of this Plan presents a strategy to recognize the urbanized community as it exists in 1995. The land use pattern in this area, termed the Baseline Developed Area, is not expected to change substantially. Future growth would occur in accordance with existing City zoning designations, and with other City policies in existence as of the Base Year (1995) of this General Plan. This strategy allows the City to concentrate its future growth in the Redevelopment Area, and in the Planned Urbanizing Area, which forms the outer perimeter of the General Plan area. Future projects in the Planned Urbanizing

Area are guided by focused policies in the form of Comprehensive Planning Districts.

d. Defining Modesto's Character

Modesto's urban identity will be defined by the flood plains of the Stanislaus and Tuolumne Rivers to provide two natural greenbelts. In the very long-term future, the San Joaquin River flood plain and anticipated wetlands preserves will separate urban expansions of the Freeway 99 corridor from those of the Freeway I-5 corridor.

Redirection of continued urban growth away from the Valley floor outside of Modesto's General Plan area will require regional or state-wide leadership and policy.

e. Reducing Automobile Traffic Impacts

This General Plan envisions an expanded street system, supplemented by an enhanced transit system, to reduce traffic congestion. The proposed transit system includes an expanded bus system with reduced headways, and a light rail system. An expressway system will provide a circumferential routing about the urban area to facilitate vehicular movement.

f. Maintaining Older Neighborhoods and Upgrading Unsafe Neighborhoods

Older neighborhoods will not be abandoned in Modesto. Neighborhoods will continue to have sustained public service and investment. Examples have been the investment of Modesto school's bond funding of the 1980's into a few new schools and upgrade of most; City investment of CDBG funds into target area neighborhoods for housing rehabilitation; investment of City funds in capital projects in older as well as newer neighborhoods; and community-oriented policing to identify and solve the root of problems.

g. Integrating New Neighborhoods into the Urban Pattern

"Villages" integrated into the rest of the City, with a strong pedestrian orientation, nearby shopping and employment, are a departure from past, prototypical neighborhoods and hold the promise of unique differences, one village to another. A development community of small-scale builders provides a variety of housing types in each neighborhood, making possible a diversity of residents that adds to neighborhood vitality. The moderate pace of staged growth helps out as well. Both factors help to avoid the large-scale development of uniform housing geared to one market segment.

h. Agricultural Land Preservation

Agriculture is big business in Stanislaus County. As the leading industry in the County, 1990 gross income from agriculture exceeded \$1 billion. The Agricultural Element to Stanislaus County's General Plan projects that with the multipliers of food processing, marketing and related services, agriculture contributed \$3.25 billion to the local economy. Stanislaus County ranks seventh in the nation based on the market value of agricultural products sold.

However, agricultural land values are no match for urban development land values. With the continuing population growth pressures of the State destined to be directed to the Central Valley, the past visions of distinct city service centers surrounded by an agricultural hinterland are being threatened by a vision of the San Fernando and Santa Clara Valleys, with a carpet of urbanization on the Valley floor from the west side hills to the Sierra foothills.

i. Environmental Concerns

Modesto, unlike many urban areas, is constrained neither by water supply nor sanitary sewer capacity limits, endangered species nor habitat preservation areas, since the natural waterways have already been set aside for open space.

The loss of some agricultural land is a direct consequence of any urbanization. This General Plan, like the one preceding it, promotes residential development at higher densities to avoid low density sprawl and promotes staged urban growth so that the conversion of agricultural land to urban uses is focused to a few villages, not spread broadly around the City's urban perimeter.

Traffic congestion remains an environmental concern; especially paying for the expressway and transit systems at time of need.

Air quality is the most difficult of concerns, because of the inability of the eight-county San Joaquin Valley Unified Air Pollution Control District to attain Federal Standards for various emissions. The City and other agencies within the Air Pollution Control District face challenging targets for reduction of emissions and challenging Transportation Control Measure goals.

C. WHAT ARE THE OVERALL GOALS BEHIND THIS COMMUNITY VISION?

The following goals, phrased as Project Objectives, were instrumental in developing the policies presented in the Modesto Urban Area General Plan. These objectives were derived from concepts initially developed by the General Plan Steering Committee, a citizens group appointed by the City Council in 1992 to oversee the General Plan Rewrite effort.

1. Future urban expansion for residential uses should be designed in the form of mixed-use developments, similar to Village One. These developments should contain housing, shops, schools, parks and civic facilities essential to the daily life of the residents. This development should implement land use practices that assist in meeting State and Federal environmental regulations.
2. Transportation and Circulation systems that adequately provide for intra-city and regional transportation needs should be provided. Alternatives to the drive-alone auto mode, such as light rail, mass transit, ride sharing, bicycling, trail systems and telecommuting should be encouraged to reduce traffic congestion and enhance air quality. The City's transportation planning should be coordinated with regional transportation planning efforts, wherever possible.
3. Notwithstanding that many State and Federal agencies limit their time horizons to 20 years, this General Plan presents a vision of future development of the community for 30 years, to the year 2025. In addition, the General Plan will focus particular attention on the intermediate time horizons (e.g., approximately five-year intervals, including 2015).
4. Modesto should contain an ample supply of specialized open space strategically located and well designed, in order to promote frequent use from the community.
5. The natural river corridors in Modesto should be preserved for recreational and open space opportunities.
6. The General Plan should attempt to minimize the loss of agricultural land by having future development be relatively compact and of reasonably high density. Potential conflicts between agricultural and urban uses should be resolved through appropriate land use measures.

D. WHAT ARE THE ECONOMIC DEVELOPMENT GOALS OF THIS COMMUNITY VISION?

In order to provide more employment opportunities for the residents of Modesto, it is necessary that the local and regional economy grow and become more diversified. Accordingly, the following Economic Development Goals are adopted to attract new private investment, to encourage existing businesses to grow, and to facilitate the creation of new jobs.

1. Development in Modesto should strive for a local jobs/housing balance by facilitating business growth, and encouraging the economic revitalization of the downtown. Adequate land, strategically located to facilitate the expansion of Modesto's economic base, should be provided for the employment opportunities of Modesto residents. These opportunities should be focused on the types of businesses that will thrive in the 21st Century.

2. The Modesto Redevelopment Area will be the focal point of community life and the social, cultural, business, governmental, and entertainment center of the northern San Joaquin Valley. The Modesto Urban Area should expand towards the west to ensure that the downtown Redevelopment Area remains the "central core" of Modesto, and to provide social and economic development for the west side of Modesto.
3. The Modesto community should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.
4. Community growth should be managed so that the quality of life is enhanced without imposing significant fiscal burdens on the existing community. Whenever appropriate, and to the extent provided by law, the costs of public infrastructure required to serve new development should be financed from revenue attributable to that development. There may be instances in which it would be appropriate to invest community-wide resources in public infrastructure which could lead to a significant increase in jobs or other benefits to the community.
5. Utility facilities for Modesto's expansion should have financing programs based on user fees and service charges that allow for those utility services to be self-supporting.
6. The General Plan should be accompanied by a Master Environmental Impact Report (MEIR) which would address the cumulative impacts of projected development, as well as alternative development scenarios. The MEIR would be a broad document addressing community-wide environmental effects. The MEIR should also establish a foundation for subsequent tiered environmental review. In this way, project-level environmental review can be streamlined or perhaps eliminated, as allowed by State law.
7. The General Plan Master EIR shall not attempt to explore impacts projected to occur after 2025. The City will consider any such impacts, beyond the year 2025, to be "too speculative for evaluation" in the Master EIR (Section 15145, CEQA Guidelines).

E. WHAT ARE THE HOUSING GOALS OF THIS COMMUNITY VISION?

Chapter IV of this General Plan contains the Policies the City intends to implement during the years of 1992-1999. As a general housing goal, the City shall seek to provide and maintain attractive residential neighborhoods with a variety of dwelling types and prices affordable to all segments of the population. This goal is achieved through the following Housing Objectives:

1. Establish and/or support programs to supply below market housing for very-low, low, and moderate-income households, as well as market rate housing.
2. Work to supply housing for the unmet needs of lower income special needs groups, including: the disabled, the elderly, the homeless, and large families (families with five or more persons).

3. Work to supply entry level housing as well as "step-up" housing.
4. Promote the development of affordable housing on surplus, underused or vacant public lands, where appropriate and where compatible with existing uses.
5. Promote equal opportunity for all residents to reside in the housing of their choice.
6. Continue to make a strong commitment to the issue of fair housing practices, as well as ensure that fair housing opportunities prevail for all City residents regardless of age, sex, family status, income or source of income, race, creed, national origin or disabilities.
7. Work to establish programs to assist in the removal of constraints to the production of housing, where feasible.
8. Work to promote energy conservation activities in all residential neighborhoods.
9. Maintain the supply of safe, decent and sound affordable housing in the City of Modesto through the conservation and rehabilitation of the City's existing housing stock.
10. Focus the use of City resources for housing rehabilitation and assisted housing on those neighborhoods and residents having the greatest need for housing assistance.
11. Make a maximum effort to preserve, for its lower-income households, the units in assisted housing developments that are eligible to change to non- lower-income uses, due to terminations of subsidy contracts, mortgage prepayment, or expiration of use restrictions.

F. READER'S GUIDE TO THIS GENERAL PLAN

Since the Modesto Urban Area Plan is "a set of instructions on how to build the City," the format of this document is very important. Briefly stated, the "instructions" are presented as Chapters, as follows:

Chapter I, Introduction, provides the introduction to these instructions.

Chapter II, Community Growth Strategy, contains Policies and a Diagram to help define the quality, quantity, and direction of future urban growth.

Chapter III, Community Development Policies, contains the "instructions" for building the actual physical components of the City in a manner consistent with Chapter II.

Chapter IV, Housing, adds "affordable housing" policy requirements to the physical community developed through Chapter III.

Chapter V, Community Services and Facilities, describes the community services and infrastructure needed to support the physical community developed through Chapter III.

Chapter VI, Public Safety Issues, presents policies required by State law to consider certain safety issues such as landslides, flooding, and emergency evacuation rates.

Chapter VII, Environmental Resources and Open Space, presents the local open space plan and physical and environmental resources in the community.

Chapter VIII, General Plan Implementation, presents a variety of tools available to the City to help build the physical City envisioned in Chapter III.

CHAPTER II

COMMUNITY GROWTH STRATEGY

II. COMMUNITY GROWTH STRATEGY

A. Community Growth Strategy Diagram and Designations II-1

B. Community Growth Policies II-2

C. General Plan Maintenance II-4

FIGURES:

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CHAPTER II

COMMUNITY GROWTH STRATEGY

Chapter II, Community Growth Strategy, contains policies and a diagram to help define the quality, quantity, and direction of future urban growth.

Since 1974, the City of Modesto has maintained policies regulating the quality, quantity, and direction of urban growth in the Urban Area General Plan. The methods and details of these policies have evolved over time, but in the Baseline Year of 1995, the legacy of these policies has resulted in a compact urban form, with few infill parcels remaining, neighborhoods offering a diversity of housing types and higher than average densities, and a geographic balance with new growth occurring on all sides of the community. While there may be significant public facility deficiencies in the short term, their resolution is still deemed manageable over the long term. Given the continued growth of the Modesto Urban Area as well as the surrounding area, this Section of the General Plan presents an Urban Growth Strategy to manage that anticipated growth.

A. COMMUNITY GROWTH STRATEGY DIAGRAM AND DESIGNATIONS

A key concept in this General Plan is the Growth Strategy Diagram, as presented in Figure II-1. The Growth Strategy Diagram divides the General Plan into three geographic areas: the Redevelopment Area, the Baseline Developed Area, and the Planned Urbanizing Area. Each of these areas is treated differently, with Policies throughout this General Plan that are unique to each area.

1. Adoption of Growth Strategy Diagram

Figure II-1 is the "Growth Strategy Diagram" which is hereby adopted and incorporated into the Modesto Urban Area General Plan as follows: Redevelopment Area; Baseline Developed Area; and Planned Urbanizing Area.

2. Adoption of Growth Strategy Designations

This Section describes the general character and geographic location of the three Growth Strategy Designations depicted on the Growth Strategy Diagram. These Designations are hereby adopted into the General Plan.

a. Redevelopment Area

The 2,000-acre Redevelopment Area covers the land within the boundaries of the Redevelopment Plan Area (the "Project Area") as adopted by the Modesto Redevelopment Agency in 1991.

b. Baseline Developed Area

The 23,100-acre Baseline Developed Area is generally defined as the lands served by the current sanitary sewer system, as of January 1, 1995, plus areas that can be served by sanitary sewer from the City's current trunk sewer system. The Baseline Developed Area contains lands which are mostly developed with urban uses which are not expected to change substantially within the next 30 years. Also included within the Baseline Developed Area are vacant lands which have a clearly defined future, such as the Beard Tract industrial area.

c. Planned Urbanizing Area

Future development within the 17,600-acre Planned Urbanizing Area will occur on land which is, in the 1995 Baseline Year, predominantly flat, vacant and/or developed with agricultural uses, and minimally if at all served with urban services and infrastructure, including roads. The Planned Urbanizing Area is expected to absorb substantial urban development in a comprehensively planned manner. For this reason, the land uses projected by the Land Use Diagram in Chapter III will be implemented through "Comprehensive Planning Districts," as defined and explained in Chapter III.

As the major growth area, the Planned Urbanizing Area is the geographic area where most of the Project Objectives will be achieved.

B. COMMUNITY GROWTH POLICIES

The future development of the Modesto community is guided by two fundamental and mutually supportive needs: economic development and maintaining the fiscal base of the City. These needs are addressed in the Policies presented in this Section.

1. Economic Development Policies

The policies described below implement Modesto's Economic Development Project Objectives, as presented in Chapter I. These policies are categorized further as: increasing the supply of land for economic development opportunities; providing infrastructure in a timely manner to support economic development opportunities; and expediting the development process for economic development proposals.

a. Provide Sufficient Land Supply

- (1) Economic development should be a key consideration of future expansion, irrespective of population projections. Expansion for business park areas, particularly between now and 2015, should be given top priority. Regional commercial uses should be allowed, where appropriate, within Business Park areas.

- (2) The Land Use Diagram presented in Chapter III provides adequate land and opportunities to expand and diversify Modesto's economic base to provide for future employment needs through establishment of business park areas. These opportunities should be focused on the types of businesses that will thrive in the 21st century. Simultaneous with this diversification of the economic base, Modesto's current agricultural and industrial bases shall be preserved for as long as possible.
- (3) The Land Use Diagram should locate business parks and other industrial land near existing and proposed transportation corridors such as State Highways 99 and 132, and proposed expressways. These business park locations should foster efficient use of land and resources, as well as reduce aggravation of existing circulation problems.
- (4) The Land Use Diagram promotes the expansion of the Modesto Urban Area towards the west to ensure that the downtown redevelopment area remains the "central core" of Modesto, and to provide social and economic development for the west side of Modesto.

b. Provide Timely Infrastructure

As the City expands and vacant land becomes developed, infrastructure such as roads, sewer, water and drainage is necessary to support that development. As the City directs the extension of this infrastructure, economic development opportunities should receive the highest priority for receiving such infrastructure.

c. Expedite the Development Process

In order to accommodate the magnitude of job opportunities projected in the future, simply designating business park land is not sufficient. The City will proactively assist the private sector to establish viable business parks by expediting the processing of such development requests. The comprehensive planning policies presented in Chapter III, as well as the full utilization of the Master Environmental Impact Report process provided by the State Law, will serve to expedite those future development proposals which stimulate economic growth in accordance with the City's economic development goals.

2. Maintain and Enhance the City's Fiscal Base

The City's overall Community Development Strategy is that new growth and development should, whenever appropriate, and to the extent provided by law, provide public infrastructure and should generate public revenue so that the City's overall fiscal base is maintained and enhanced. In evaluating development proposals, the City should consider the long range impact on the City's fiscal balance.

- a. In order to achieve desirable levels of community facilities, it will be necessary to address existing deficiencies. The long-term financing strategy should provide for broad-based funding approaches to meet broad-based community needs.
- b. Typically, there is a long lead time to plan, finance, and construct infrastructure to serve new areas. Long range infrastructure planning should identify cost estimates, and staging and coordination issues which can be included in any long-term financing strategy.
- c. Development proposals within the Baseline Development Area do not require the same attention to fiscal impact analysis as in the Planned Urbanizing Area because projects will tend to be smaller, in-fill type, which will be served by existing infrastructure. Nonetheless, community-wide financing strategies should apply to Baseline Development as well.
- d. Community growth should be managed so that the quality of life is enhanced without imposing significant fiscal burdens on the existing community. Whenever appropriate, and to the extent provided by law, the costs of public infrastructure required to serve new development should be financed from revenue attributable to that development. There may be instances in which it would be appropriate to invest community-wide resources in public infrastructure which could lead to a significant increase in jobs or other benefits to the community.

C. GENERAL PLAN MAINTENANCE

1. Urban Area Growth Policy Review

A review of the growth trends in the Modesto Urban Area should be held on a periodic basis, perhaps annually. This periodic review should provide for the selection of potential urban areas to be served with urban infrastructure during the ensuing five years. This review should be focused on the information presented in Sections 2, 3, and 4, below, and on the following policies:

- a. In general, maintenance of a five-year supply of available vacant and agricultural land served with urban infrastructure will be desirable.
- b. Urban development should be kept as contiguous as possible in order to avoid premature urbanization of valuable farm land, foster resident convenience, and provide for economy in City services.
- c. Residential growth and development within the Modesto Urban Area General Plan shall take place only following annexation to the City.

- d. Urban growth should be directed, as long as economically feasible, to areas currently served with City services.
- e. The Master EIR data base should be updated when necessary (see Section 3, below).

2. Annual Report to the State

Each year, the Governor's Office of Planning and Research (OPR) conducts the Local Government Planning Survey to simplify and standardize local governments' compliance with Sections 65040.5 and 65400 of the Government Code. These sections require California cities and counties to report annually to OPR and the State Department of Housing and Community Development on their planning activities. The survey also identifies local issues and problems which OPR may be able to help remedy by providing technical assistance.

3. Maintenance of the Master EIR

The Master Environmental Impact Report (MEIR) promotes significant streamlining of subsequent projects if they are consistent with the General Plan, as well as the assumptions, conclusions, and mitigation measures presented in the MEIR document itself. Therefore, it is important that the MEIR be periodically re-evaluated and updated as necessary, so that it can continue to serve as a streamlining document.

The following Policies govern the process to maintain the currency of the Master EIR.

- a. Upon the review of each "anticipated subsequent project," as defined in Section 21157.1 of the Public Resources Code, the Master EIR may streamline further CEQA review of that project, if the City as Lead Agency can make the following finding:

"No substantial changes have occurred with respect to the circumstances under which the master environment impact report was certified or that no new information, which was not known and could not have been known at the time that the master environmental impact report was certified as complete, has become available." (Section 21157.6(a) of Public Resources Code.)

- b. As Lead Agency, the City may maintain the currency of the Master EIR by certifying a "subsequent or supplemental environmental impact report which has been either incorporated into the previously certified master environmental impact or references any deletions, additions, or any other modifications to the previously certified environmental impact report." (Section 21157(b), Public Resources Code.)

- c. The General Plan Traffic Analysis and Model (Appendix II-A of Master Environmental Impact Report) shall be kept current through periodic updates, performed either unilaterally by the City or in conjunction with a Focused Environmental Impact Report, which includes a Comprehensive Traffic Study.

4. General Plan Amendment Process

Over time, various sections of the Modesto Urban Area General Plan may need to be revised. The policies presented in this General Plan contain some degree of flexibility, but any General Plan Amendments must be judged by relatively fixed criteria. The following process must be followed in reviewing proposed General Plan Amendments:

- a. Description of Amendment

Proposals to amend the General Plan must be accompanied by detailed information to document the change requested. This information should include a revised General Plan text (or excerpt thereof) and revised Land Use Diagram, where relevant, depicting the amendment requested.

- b. Presentation of Need for Amendment

Any proposals to amend the General Plan must document the need for such changes. The applicant should indicate the economic, social, or technical issues which generate the need to amend the General Plan.

- c. Criteria for Analysis of General Plan Amendment

Any proposal to amend the Modesto Urban Area General Plan must be accompanied by studies which provide an analysis of the amendment's effects, compared to the adopted General Plan, on the following issues:

- (1) Compatibility with surrounding, existing, and planned land uses.
- (2) Traffic impacts, both existing and planned.
- (3) Air quality impacts, as addressed in the Master EIR.
- (4) Preservation of open space, both existing and planned.
- (5) Public Facilities and Public Services, both existing and planned.

- d. Environmental Review

The proposed amendment must receive environmental review to determine if it is within the scope of the Master EIR or if further environmental analysis is required. Depending on the nature of the amendment, supplemental environmental analysis may be necessary, according to the California Environmental Quality Act (Section 15162).

- (1) With regard to noise, the following criteria shall be used to determine the significance of impacts that would be expected to occur due to proposed development projects taking into account all associated noise sources including, for example, autos, trucks, stationary noise sources, and loading/unloading areas. A project requiring a General Plan Amendment would have a significant noise effect if it would:
- (a) cause a five Ldn increase in noise where the resulting noise environment is in the "conditionally acceptable" range (as defined in Figure VII-2 for the affected use; or
 - (b) cause a three Ldn increase in noise where the resulting noise environment is characterized as "normally unacceptable" (as defined in Figure VII-2) for the affected use; or
 - (c) exceed a property-line noise standard of 75 dBA, L_{max} from 7:00 a.m. to 10:00 p.m. and 70 dBA, L_{max} from 10:00 p.m. to 7:00 a.m. These L_{max} standards are intended to apply to all of the stationary noise sources and activities from proposed industrial, business park or commercial sites, and are intended to apply to the nearest residential property line.

The City of Modesto shall require, where feasible and cost-effective, that noise impacts from future development be mitigated to "less-than-significant" consistent with the CEQA significance criteria identified above and the noise/land use compatibility guidelines (see Figure VII-2).



CITY OF MODESTO
GENERAL PLAN PROGRAM

Figure II-1
GROWTH STRATEGY
DIAGRAM

LEGEND

DESIGNATIONS

- REDEVELOPMENT AREA
- BASELINE DEVELOPED AREA
- PLANNED URBANIZING AREA

BOUNDARY LINES

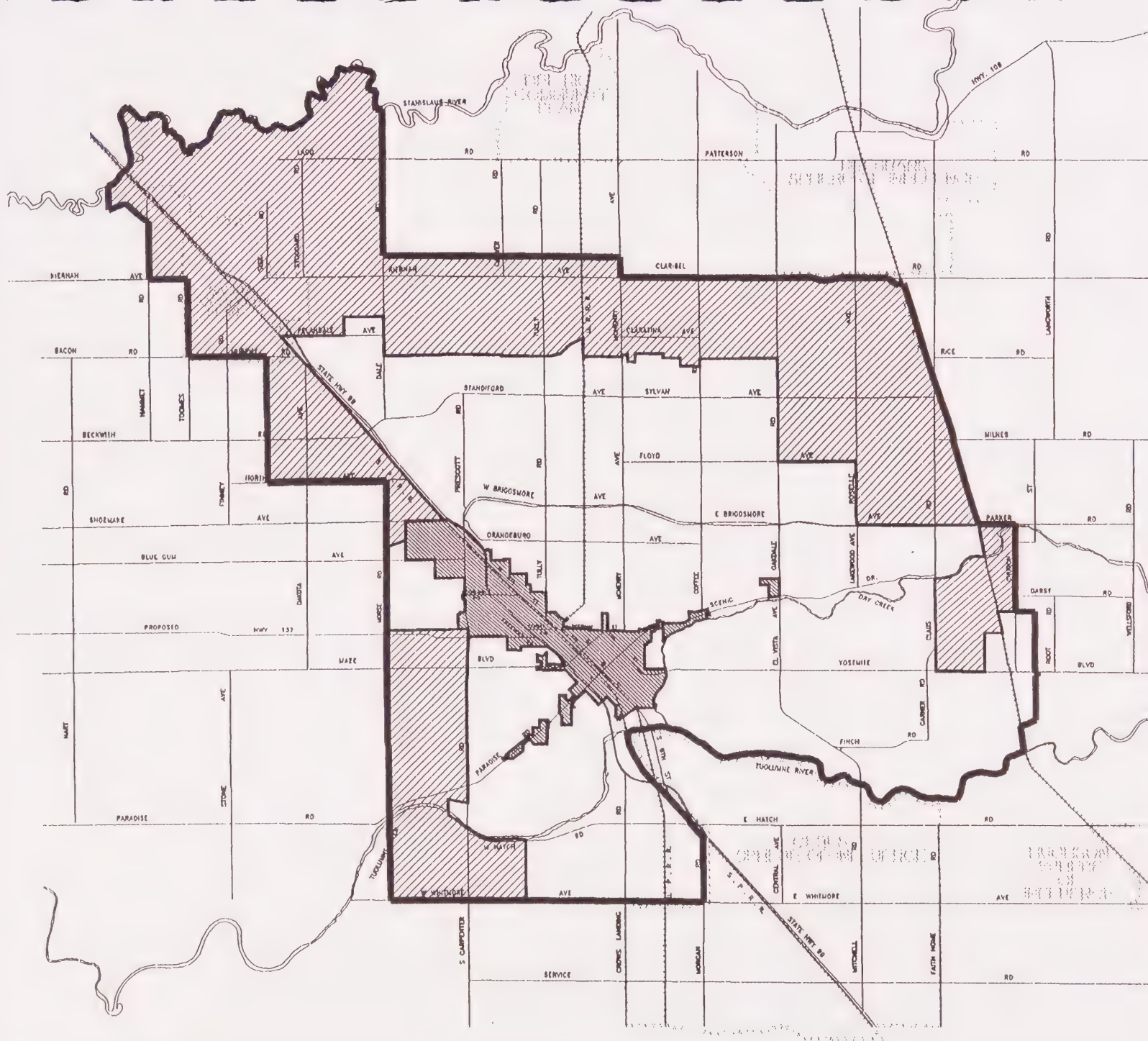
- GENERAL PLAN BOUNDARY
- BOUNDARY BETWEEN DESIGNATIONS

REFERENCE POINTS

- STREETS
- FREEWAYS
- RAILROADS
- RIVERS
- ADJACENT COMMUNITY BOUNDARY



MAP SCALE: 1" = 1.5 MILES
PLAN SCALE: 1" = 0.5 MILES



CHAPTER III

COMMUNITY DEVELOPMENT POLICIES

III. COMMUNITY DEVELOPMENT POLICIES

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CHAPTER III

COMMUNITY DEVELOPMENT POLICIES

Chapter III, Community Development Policies, contains the "instructions" for building the actual physical components of the City in a manner consistent with Chapter II.

This Chapter establishes the proposed general distribution and extent of land uses within the Modesto Urban Area General Plan. It contains land use policies to guide the physical development of Modesto, within three areas defined in Section II-A: Redevelopment Area, Baseline Developed Area, and Planned Urbanizing Area. This Chapter also contains the Land Use Diagram and Land Use Designations for the Modesto Urban Area General Plan. This Chapter complies with Section 65302(a) of the California Government Code.

A. LAND USE DIAGRAM

Figure III-1 is the Land Use Diagram which presents the proposed general distribution of the uses of land within the Modesto Urban Area. The Land Use Diagram conforms to Section 65302(a) of the Government Code, and is hereby adopted and incorporated into the Modesto Urban Area General Plan.

The word "Diagram" is distinguished from "Map" in the context of a California Attorney General Opinion (67 OPS.CAL.ATTY.GEN.75 (3/7/84)), to provide a certain limited degree of flexibility in applying the Land Use Designations to specific parcels.

B. ADOPTED GENERAL PLAN LAND USE DESIGNATIONS

The following Land Use Designations are presented on the Land Use Diagram (Figure III-1). These General Plan Land Use Designations describe the extent of the uses of land within the Modesto Urban Area. They include standards of population density and building intensity, in conformance with Section 65302(a) of the Government Code. These Land Use Designations are hereby adopted and incorporated into the Modesto Urban Area General Plan.

1. **Residential (R)**
 - a. **Purpose and Intent:** To provide for residential uses throughout the Modesto Urban Area. This consists of primarily single-family detached housing, but also includes mobile homes, schools, parks, churches, and some multi-family housing.
 - b. **Locational Criteria:** This designation may be applied anywhere within the Modesto urban Area General Plan.

- c. Land Use Intensity: The recommended land use intensity is 7.5 dwelling units per gross acre, which at 3.0 persons per household translates to 23 persons per gross acre.

2. Mixed Use (MU)

- a. Purpose and Intent: To characterize those areas of the Modesto Urban Area that are already developed (as of January 1, 1995) and contain a mixture of all or some of the following uses in close proximity to each other: multi-family residential, commercial, office, and institutional. This designation is also used to characterize large areas of multi-family housing.
- b. Locational Criteria: This designation may be applied to those areas of the Modesto Urban Area that are already developed and contain a mixture of uses as described above.
- c. Land Use Intensity: The recommended land use intensity is for 60% of the land in this designation to be devoted to residential uses, and 40% to be devoted to non-residential uses, including institutional, office, and commercial uses.

For the residential uses, the recommended intensity is 14 dwelling units per acre. Using a household size of 3.0 persons per household, this translates to 42 persons per gross acre for the residential portion of this designation.

For the non-residential uses, the recommended intensity is a maximum Floor Area Ratio of 0.35 square feet of building area per square foot of gross acreage of the site.

3. Commercial (C)

- a. Purpose and Intent: To provide for the full range of commercial uses to serve the current and projected needs of Modesto's population. This designation encompasses the entire range of service and retail uses, including but not limited to offices, neighborhood retail centers, downtown commercial districts, and regional retail centers serving the needs of the entire region.
- b. Locational Criteria: Commercial land uses in Modesto are generally located at intersections along major arterial streets and expressways. The Modesto Zoning Code presents additional criteria for the location and type of commercial uses.
- c. Land Use Intensity: The recommended land use intensity is a maximum Floor Area Ratio of 0.35 square feet of building area per square foot of gross acreage of the site.

4. Industrial

- a. Purpose and Intent: To provide for industrial uses in the Modesto Urban Area. This designation provides for the full range of industrial uses, including but not limited to manufacturing, food processing, trucking, packing, and recycling, as well as those enterprises which may want to combine office and production aspects of their business in the same complex.
- b. Locational Criteria: Industrial land uses in Modesto are generally located within major tracts oriented to Freeway 99 and to the four railroads serving the Urban Area.
- c. Land Use Intensity: The recommended land use intensity is a maximum Floor Area Ratio of approximately 0.30 to 0.50 square feet of building per square foot of gross area of the site.

5. Redevelopment Planning District (RPD)

- a. Purpose and Intent: The Redevelopment Planning District is intended to implement the Mission Statement of the Redevelopment Commission, which is as follows:

"Redevelopment is an economic development and community development program of prime importance to the Modesto community, one that capitalizes upon all of the area's assets and natural resources.

The Modesto Redevelopment Area will be the focal point of community life and the social, cultural, business, governmental and entertainment center of the northern San Joaquin Valley.

Housing will be an integral part of the Project Area, complemented by and stimulated by creation of a safe and attractive, tree-lined environment. Modern transportation systems shall provide convenient transportation to and within the Project Area.

This vision will be achieved through partnerships between private enterprise and government agencies. The Redevelopment Agency shall take the lead through strategic investments in public infrastructure and by recruiting and assisting with new private investment."

- b. Locational Criteria: The Redevelopment Planning District shall only be applied in the area designated "Redevelopment Area" on the Growth Strategy Diagram

(Figure II-I). These are the same boundaries as the Project Area for the Redevelopment Plan adopted in November 1991.

- c. Land Use Intensity: A total of 2,300 residents and 53,700 job opportunities are projected in the Redevelopment Planning District. These shall be distributed throughout the Planning District, in accordance with Section IV A and IV B of the "Amended Redevelopment Plan for the Modesto Redevelopment Project," dated November 1991. Figure III-2 presents the distribution of illustrative Land Use Designations which guide the preparation of the Redevelopment Plan.

6. Village Residential (VR)

- a. Purpose and Intent: To provide for the development of urban "villages." Villages are mixed-use, compact, pedestrian- and transit-oriented development. Villages should be comprehensively planned using the Comprehensive Plan process presented in Section III-D.
- b. Locational Criteria: This designation may be applied to areas throughout the Planned Urbanizing Area, as shown in Figure II-1.
- c. Land Use Intensity: Villages are mixed-use areas that are predominantly single-family residential, but with multi-family and senior housing, commercial uses, schools, and parks. Section III-C(3) provides the overall guidance for policy implementation of the Village Residential Designation. The Comprehensive Planning Districts presented in Section III-D contain the actual land use mix and intensities for each Village.

Residential: The recommended overall residential density is 5.1 dwelling units per gross acre. Note: This density is lower than the density prescribed for the "Residential" Land Use Designation because it includes support commercial uses as described below in a mixed use fashion. At 3.0 persons per household this translates to 15.3 persons per gross acre.

Commercial: The recommended intensity for commercial uses is for 4% of land designated Village Residential to be devoted to commercial uses, with a maximum allowable Floor Area Ratio of 0.35 square feet of building per square foot of gross area of the site.

7. Regional Commercial (RC)

- a. Purpose and Intent: To provide for large-scale commercial areas for the sale of goods and services which meet the needs of the region as well as the community.

- b. Locational Criteria: This designation is applied in areas of the Planned Urbanizing Area that are adjacent to and have access to regional traffic routes and transit corridors.
- c. Land Use Intensity: The recommended land use intensity is a maximum Floor Area Ratio of 0.35 square feet of building area per square foot of gross area of the site.

8. Business Park (BP)

- a. Purpose and Intent: To provide for areas of light industrial and employment-intensive uses, and to produce an environment conducive to industries and employers seeking an aesthetically attractive "campus-like" setting. Regional Commercial uses are also permitted in Business Parks.
- b. Locational Criteria: This designation may be applied throughout the Planned Urbanizing Area, but should be adjacent to and have access to major transportation corridors.
- c. Land Use Intensity: Business Parks should have a campus-like setting, with a recommended Floor Area Ratio no greater than 0.40 square feet of building area per square foot of gross area of the site.

9. Open Space (OS)

- a. Purpose and Intent: To provide for regional recreational open space (active and passive) along the Tuolumne River, Stanislaus River, and Dry Creek. Community and neighborhood parks and other smaller open space areas can be accommodated within any Land Use Designation.
- b. Locational Criteria: This designation is applied along Tuolumne River, Stanislaus River, and Dry Creek.
- c. Land Use Intensity: The recommended land use intensity is low-impact recreational facilities, public ownership, and agriculture. In addition, low-density residential uses not exceeding one dwelling unit per 10 acres is a recommended residential density.

10. Salida Community Plan (SCP)

- a. Purpose and Intent: If the "Salida Comprehensive Planning District" is annexed to the City of Modesto, the City does not propose to change any land use directions from those established by Stanislaus County. Therefore, the Salida

Community Plan, as adopted by Stanislaus County, will continue to regulate growth and development for this area, even upon annexation to the City.

- b. Locational Criteria: This designation is applied only in the Salida Comprehensive Planning District, as shown in Figure III-1. These are precisely the same boundaries as for the Salida Community Plan adopted by Stanislaus County as of January 1, 1995.
- c. Land Use Intensity: The Stanislaus County General Plan, in effect as of January 1, 1995, contained ten land use designations to guide development within the Salida Community Plan. School sites were also designated in the Community Plan. These land use designations are described in detail in the "Salida Comprehensive Planning District," presented in Section III-D.

C. LAND USE POLICIES

The Land Use Designations presented above are supplemented by Land Use Policies, presented in this Section. These Land Use Policies are categorized as follows:

1. Overall Land Use Policies

- a. The Zoning Code (Title X of the Modesto Municipal Code) and the Zoning Map, shall be used as the primary vehicle to guide future development in the Baseline Developed Area. A secondary vehicle is policies in existence in the Base Year (1995) of this General Plan.
- b. Section 65803 of the Government Code indicates that in charter cities such as Modesto, zoning need not be consistent with the General Plan. Notwithstanding, development plans within the Baseline Developed Area may be found consistent with the General Plan if they are consistent with the Zoning Code and Map and the various policies of the General Plan. Zone changes may be approved anywhere in the General Plan Area, if the following findings are made:
 - (1) The requested zone change is required by public convenience or necessity.
 - (2) The requested change will result in an orderly planning use of land resources.
 - (3) The requested zone change is in accordance with the community's objectives as set forth in: the "Neighborhood Plan Prototype" policies presented in Section C-2, below (for property within the Baseline Developed Area); or a Comprehensive Plan prepared in accordance with

this Chapter (for property within the Planned Urbanizing Area); or the Redevelopment Plan (for property within the Redevelopment Area).

- (4) Adequate environmental mitigation has been provided through the implementation of appropriate mitigation measures established by the Master Environmental Impact Report and any supplements to the MEIR. Traffic and public facility issues are particularly relevant in this analysis.
- c. Additional vehicles to guide future development, in both the Baseline Developed Area and the Planned Urbanizing Area, include: Neotraditional Planning Policies (C-3, below) and the Neighborhood Plan Prototype Policies (C-2, below).
- d. Specific Plans, adopted pursuant to Section 65450 et seq of the California Government Code, may be used to provide primary policy guidance to future development within their respective geographic areas. Specific Plans may be adopted to implement any of the Land Use Designations presented on the Land Use Diagram, and they may be used within any Growth Strategy Designation: Redevelopment Area; Baseline Developed Area; or Planned Urbanizing Area.
- e. Annexation of Noncontiguous Land (not shown on Land Use Diagram).

Section 65300 of the California Government Code allows the General Plan to address policies to any land "outside its boundaries which in the [City's] judgment bears relation to its planning."

In addition, Section 56111 of the Government Code allows a city to "annex noncontiguous territory not exceeding 300 acres, which is located in the same county as that in which the city is situated, and which is owned by the city and is being used for municipal purposes at the time commission proceedings are initiated...Territory which is used by a city for reclamation, disposal, and storage of treated wastewater may be annexed to the city pursuant to this section without limitation as to the size of the area encompassed within the territory so annexed."

In the past, the city has relied upon Section 56111 of the Government Code to annex certain properties noncontiguous to the city, for the purpose of establishing and expanding certain wastewater treatment facilities on Jennings Road, adjacent to the San Joaquin River. Because this site is approximately 7 miles from the city limits and Section 56111 only applies to publicly-owned land not intended for private development, this site is not depicted graphically on the Land Use Diagram. Nevertheless, as long as Section 56111 remains in effect, the city will continue to expand the treatment facilities, and annex the land to the city as appropriate and as needs dictate. The Sphere of Influence should reflect the ability of the city to take this action.

The City will designate a riparian habitat preserve for the Jennings Road and Sutter Avenue wastewater facilities, where they adjoin the San Joaquin and Tuolumne Rivers respectively, to foster the best conjunctive management of wastewater facilities which are also used as habitat by threatened or endangered species.

2. "Neighborhood Plan Prototype" Policies

The "Neighborhood Plan Prototype" was developed in 1974 to provide a "blueprint" for development of future residential neighborhoods. The Neighborhood Plan Prototype is designed to create residential areas served by neighborhood parks, elementary schools, a neighborhood shopping center, and a collector street pattern connecting these uses. The Neighborhood Plan Prototype is a model for: subdivision designs; location of parks and other capital facilities; and zoning and pre-zoning studies. As of the baseline year of 1995, much of the Baseline Developed Area has been developed according to this Prototype.

Within the Modesto community, "Neighborhoods" are typically one mile by 3/4 mile (approximately 480 acres in size), and bordered by Arterial streets or Expressways. The term "neighborhoods," as used in this section, refers to defined geographic areas of the city, not necessarily to social descriptions of neighborhoods.

The following policies describing the Neighborhood Plan Prototype are presented:

- a. Neighborhoods should contain a variety of housing types, as allowed by the R-1, R-2, R-3, and P-D Zones of the Modesto Zoning Code. The location and distribution of the different housing types within a neighborhood are presented in Figure III-3, "Neighborhood Plan Prototype".
- b. Neighborhoods should contain sufficient elementary schools necessary to serve the residential development within the neighborhood. Schools should be located on Collector streets within the neighborhood, preferably at or near the intersection of two Collector streets.
- c. Neighborhood parks sufficient to serve the residential development within the neighborhood (see Section V-G for parks standards) should be located adjacent to school sites.
- d. A 7-9 acre neighborhood shopping center, containing 60,000 to 100,000 square feet of gross leasable space, should be located in each neighborhood. The shopping center should be located at the intersection of two Arterial streets, as shown in Figure III-3.

- e. A network of Collector streets should be developed within each neighborhood, as shown in Figure III-3. These Collector streets should utilize the following principles:
 - (1) Collector streets should provide direct linkages from the residences within a neighborhood to neighborhood facilities within the same neighborhood, such as schools, parks, shopping areas, churches, etc., and a connection to peripheral Arterial streets but not to peripheral Expressways or Freeways.
 - (2) Collector streets should be designed to intersect Arterial streets at 1/4 mile intervals.
 - (3) Collector streets should cross Arterial streets with four-way intersections to facilitate Arterial street traffic signalization but should not be continuous alignments through two or more neighborhoods, as their function is not to serve as through traffic arteries. Several "through" Collector streets are acknowledged based on their pre-existence as county service roads to agricultural areas.
- f. Minor adjustments to the Neighborhood Plan Prototype can be made to accommodate existing development in an area.
- g. If a neighborhood is bordered by an expressway on one or more sides, then the following modifications should be made in implementing the Neighborhood Plan Prototype:
 - (1) Zoning adjacent to the expressway should be R-1, rather than R-2 or R-3.
 - (2) The neighborhood shopping center should not be located adjacent to the expressway.
 - (3) If the expressway is a Class A expressway, there shall be no Collector streets intersecting with the expressway.
 - (4) If the expressway is a Class B expressway, there may be no Collector street intersecting with the expressway, or just one Collector street intersection on the half mile, with right turn in, right turn out only (no median break).

3. Neotraditional Planning Principles

In 1990, the Village One project offered the City the first opportunity to explore a relatively new set of urban design principles, collectively known as "Village Planning" or Neotraditional Planning. In 1992, the Local Government Commission published Land Use Strategies for More Livable Places, which presented a number of design concepts which help to define Neotraditional Planning. Primary among these concepts is that all planning should be in the form of complete and integrated communities containing housing, work places, schools, parks and civic facilities essential to the daily life of the residents. These concepts can be applied at the community level or at the neighborhood level.

The following policies are established to implement Neotraditional Planning principles for the City of Modesto.

- a. Communities or neighborhoods should be designed so that housing, jobs, daily needs and other activities are within easy walking distance of each other.
- b. As many activities as possible should be located within easy walking distance of transit stops.
- c. Communities or neighborhoods should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.
- d. Businesses within a community or neighborhood should provide a range of job types for the community's or neighborhood's residents.
- e. The location and character of the community or neighborhood should be consistent with a larger transit network.
- f. Each community or neighborhood should have a center focus that combines commercial, civic, cultural, and recreational uses.
- g. Each community or neighborhood should contain an ample supply of specialized open space in the form of squares, greens and parks whose frequent use is encouraged through placement and design.
- h. Streets, pedestrian paths and bike paths should contribute to a system of fully connected and interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being small and spatially defined by buildings, trees and lighting; and by discouraging high speed traffic. Wherever

possible, natural terrain, drainage, and vegetation should be preserved with superior examples contained within parks or greenbelts.

D. COMPREHENSIVE PLANNING DISTRICTS

Each of the Comprehensive Planning Districts delineated on the Land Use Diagram (Figure III-1) are further described in this Section. All Comprehensive Plans adopted to implement a given Comprehensive Planning District, shall include a text narrative and a map or diagram, conforming to the requirements of the relevant Comprehensive Planning District. This Section presents policies which apply within all Comprehensive Planning Districts, followed by detailed policy narratives focusing on the unique character of each Comprehensive Planning District presented on the Land Use Diagram (Figure III-1).

1. Principal Comprehensive Planning District Policies

The following Principal Comprehensive Planning District Policies apply to all Comprehensive Planning Districts, regardless of whether they are located in the Baseline Developed Area or the Planned Urbanizing Area.

- a. Since each Comprehensive Planning District contains a number of properties, unified direction from affected property owners should be encouraged, particularly for privately-initiated applications. In the case of disparate or unknown development intentions, the City may proactively seek consensus from affected property owners.
- b. The Comprehensive Plan within each Comprehensive Planning District should establish clear and comprehensive implementation tools which identify all subsequent land use approvals required to be consistent with the Comprehensive Plan.
- c. Because of their size, shape, and proximity to existing areas developed under the Neighborhood Plan Prototype policy of the 1974 General Plan, the following Comprehensive Planning Districts do not need to comply with the above Principal Comprehensive Planning District Policies (D-1(a) and D-1(b)):

Pelandale/Snyder CPD
Pelandale/McHenry CPD
Coffee/Claratina CPD
North Beyer CPD
Fairview CPD

In the above instances, the "Neighborhood Plan Prototype" Policies and the City's Zoning and Subdivision Ordinances provide sufficient guidance for future

development of these CPD's. Notwithstanding, all Comprehensive Planning Districts need to comply with the following Principal Policies

- d. Each Comprehensive Plan should include a long-range financing strategy which provides reasonable estimates of the costs of on-and off-site infrastructure to support the proposed development pattern. The strategy should generally address public facility funding, including schools, for any development project which serves to implement the subject Comprehensive Plan. If new public facilities are required which will also serve the broader community, the Comprehensive Plan should include options for broad-based funding mechanisms.
- e. Comprehensive Plans, as defined in Chapter VIII, shall be used for the implementation of the Comprehensive Planning Districts presented in Figure III-1. Specific Plans, as defined in Section 65450 et. seq. of the California Government Code, are particularly suited for this purpose. Other options are available, provided that they present sufficient guidance for future development.
- f. More than one Comprehensive Plan may be processed within a given Comprehensive Planning District (CPD), as long as the remaining area within the CPD can still comply with the General Plan policies presented in this Chapter. Conversely, a Comprehensive Plan can be used to implement more than one Comprehensive Planning District.
- g. A "Focused Environmental Impact Report" as defined by Section 21158 of the Public Resources Code shall be required for each Comprehensive Plan to implement the policies of each Comprehensive Planning District. Each Focused EIR shall concentrate on those resources and issues presented in the Master Environmental Impact Report prepared and certified for the General Plan.
- h. Upon the review of each Comprehensive Plan, the Master EIR may streamline further CEQA review of that Comprehensive Plan, if the City as Lead Agency can make the following finding:

"No substantial changes have occurred with respect to the circumstances under which the master environmental impact report was certified or that no new information, which was not known and could not have been known at the time that the master environmental impact report was certified as complete, has become available." (Section 21157.6(a) of Public Resources Code.)

- i. All policy requirements presented in the individual Comprehensive Planning District narratives (Exhibits III-2 through III-26), shall be applied wherever indicated in each individual District's narrative.
- j. The Comprehensive Plan for each Comprehensive Planning District shall address the policies for the relevant Growth Strategy Designation (Baseline Developed Area or Planned Urbanizing Area) presented in Chapters II, III, IV, V, VI, and VII.
- k. Each Comprehensive Planning District shall address the need to provide sanitary sewer service, using the Sanitary Sewer Diagram presented in Chapter V.
- l. Once a Comprehensive Plan for a Comprehensive Planning District is adopted consistent with all of these Policies, all subsequent discretionary actions found consistent with the Comprehensive Plan are hereby deemed to be consistent with the Modesto Urban Area General Plan.
- m. The exact boundaries of each Comprehensive Planning District may be shifted somewhat, as Comprehensive Plans are processed. However, any proposed boundary shifts shall address all public facility and public service requirements of the Planned Urbanizing Area, as specified in Chapter V.

2. Adoption of Comprehensive Planning Districts

On the following pages, twenty-five Comprehensive Planning Districts are hereby adopted as Exhibits III-2 through III-26 inclusive. Brief descriptions of these Comprehensive Planning Districts are summarized in alphabetical order, in Exhibit III-1. The order presented does not imply the order in which each Comprehensive Plan should be processed. To the contrary, no phasing or sequencing of development is intended through the "Comprehensive Planning District" process, as long as each Comprehensive Plan conforms to the requirements of its respective Comprehensive Planning District.

COMPREHENSIVE PLANNING DISTRICT SUMMARY

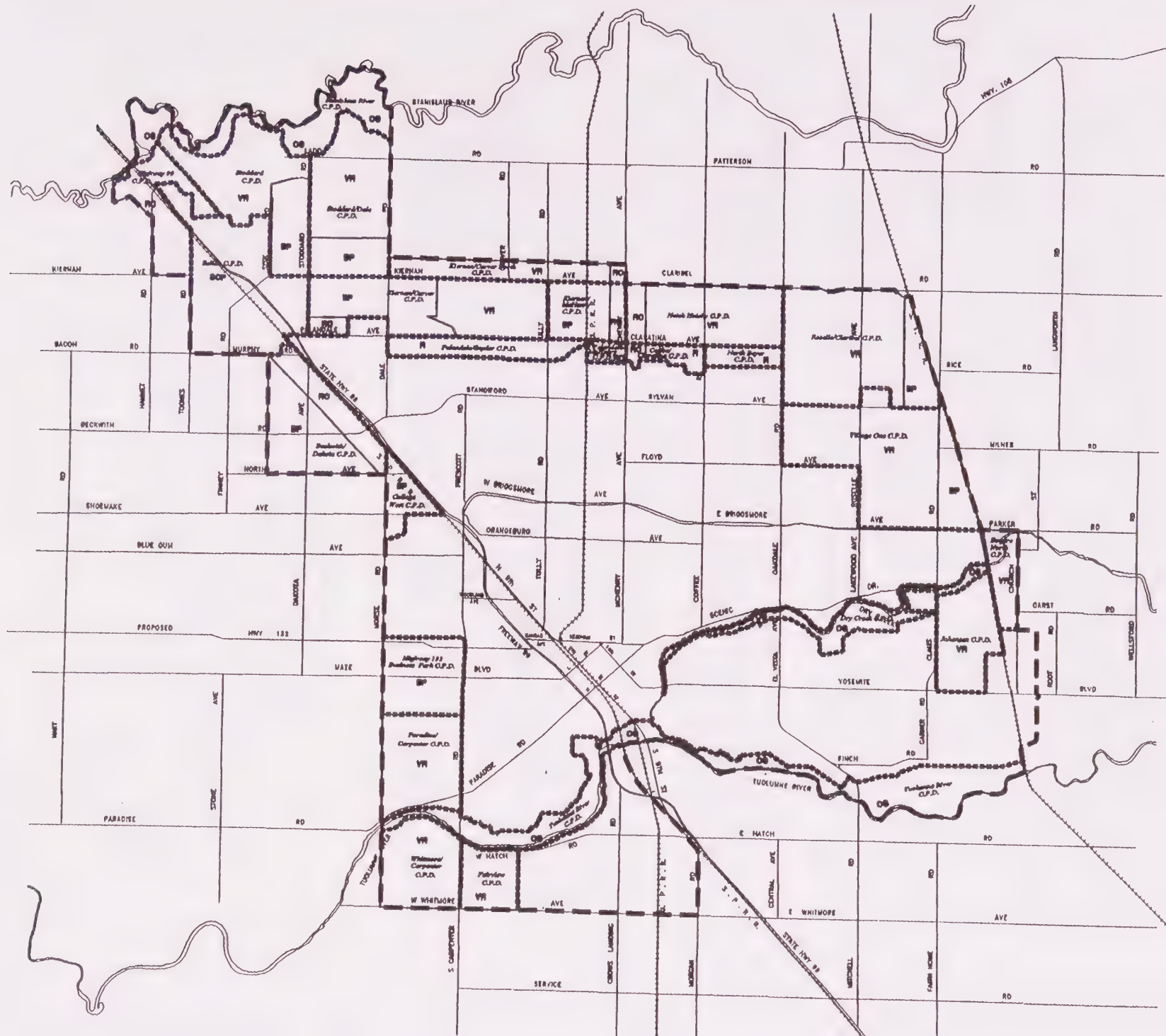


Exhibit III-1

COMPREHENSIVE PLANNING DISTRICT SUMMARY

<u>Exhibit No.</u>	<u>Comprehensive Planning District (CPD)</u>	<u>Land Use Designations Within the CPD</u>	<u>Acreage</u>
III-2	Beckwith/Dakota	Business Park	690
		Regional Commercial	350
III-3	Coffee/Claratina	Residential	130
		Regional Commercial	40
III-4	College West	Business Park	240
III-5	Dry Creek	Open Space	460
III-6	Empire North	Village Residential	270
III-7	Fairview	Village Residential	350
III-8	Hetch Hetchy	Village Residential	860
		Regional Commercial	120
III-9	Highway 99	Regional Commercial	570
III-10	Highway 132	Business Park	660
III-11	Johansen	Village Residential	610
III-12	Kiernan/Carver	Village Residential	650
		Business Park	660
		Regional Commercial	75
III-13	Kiernan/Carver North	Village Residential	450
		Regional Commercial	30
III-14	Kiernan/McHenry	Business Park	370
		Regional Commercial	100
III-15	North Beyer	Residential	160
III-16	Paradise/Carpenter	Village Residential	810

III-17	Pelandale/McHenry	Residential	50
		Regional Commercial	30
III-18	Pelandale/Snyder	Residential	390
III-19	Roselle/Claribel	Village Residential	1,430
		Business Park	260
III-20	Salida	Salida Community Plan	1,450
III-21	Stanislaus River	Open Space	810
III-22	Stoddard	Village Residential	820
		Business Park	380
III-23	Stoddard/Dale	Village Residential	860
		Business Park	320
III-24	Tuolumne River	Open Space	1,380
III-25	Village One	Village Residential	1,620
		Business Park	220
III-26	Whitmore/Carpenter	Village Residential	690

BECKWITH/DAKOTA

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 1,040-acre Comprehensive Planning District is comprised of commercial uses adjacent to a frontage road parallel with the Southern Pacific Railroad and Freeway 99, with Business Park Uses comprising the balance of the Comprehensive Planning District. Primary access to this Comprehensive Planning District would be from the Beckwith interchange with Freeway 99 and with a future expressway along Dakota Avenue, directly linking to the Kiernan Avenue expressway.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 690 acres designated "Business Park"
- 350 acres designated "Regional Commercial"

b. Distribution of Land Uses Within the CPD

The Regional Commercial land use should be sited along Freeway 99 to take advantage of the exposure to regional traffic.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) The commercial uses adjacent to Freeway 99 shall be designed to present an attractive gateway to the City.

c. Housing Policy Implementation:

Because this Comprehensive Planning District does not propose any residential uses, the Housing Policies presented in Chapter IV do not apply to this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. Sewer service for this Comprehensive Planning District may be the installation of the West No. 2 sanitary sewer trunk or an alternative solution for sewer service may be found at the time of the preparation of a Comprehensive Plan. A limited tie-in to the existing West Trunk may be permitted as an interim measure as determined by the Public Works and Transportation Department.

6. Focused EIR:

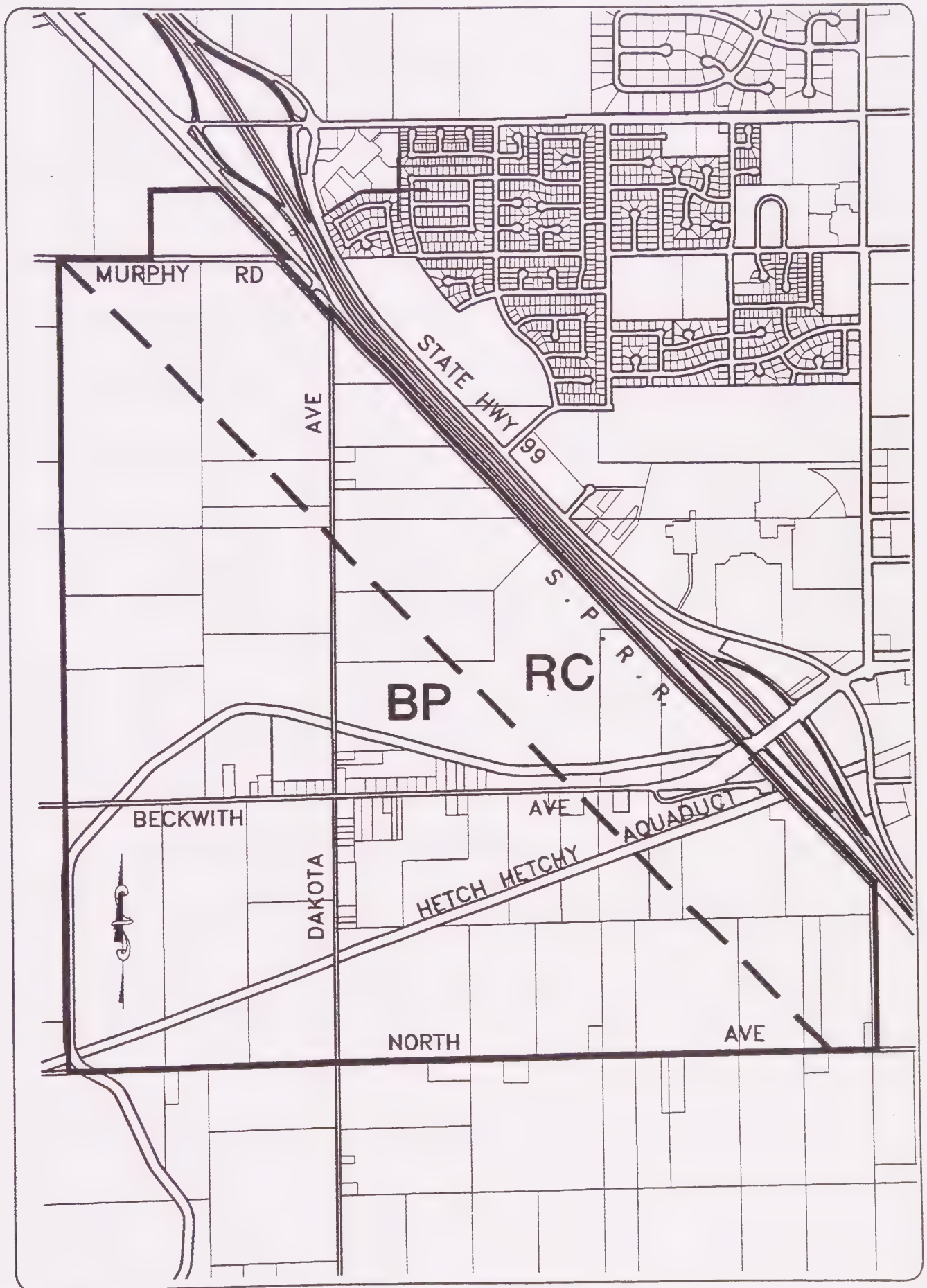
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 31,000 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The exact boundary between the Regional Commercial uses and the Business Park uses shall be determined by the Comprehensive Plan.

BECKWITH/DAKOTA C.P.D.



COFFEE/CLARATINA

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 170-acre Comprehensive Planning District is essentially an extension of the existing residential development pattern to the south.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 130 acres designated "Residential
- 40 acres designated "Regional Commercial"

b. Distribution of Land Uses Within the CPD

The Regional Commercial should be located along McHenry Avenue to join the established commercial uses on McHenry Avenue.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) "Neighborhood Plan Prototype" Policies (Section III-C(2))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 1,000 dwelling units.
- (2) Development in this Comprehensive Planning District should be considered an extension of the existing development immediately to the south.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by a subtrunk in Coffee Road that ties into the existing sanitary sewer system.

6. Focused EIR:

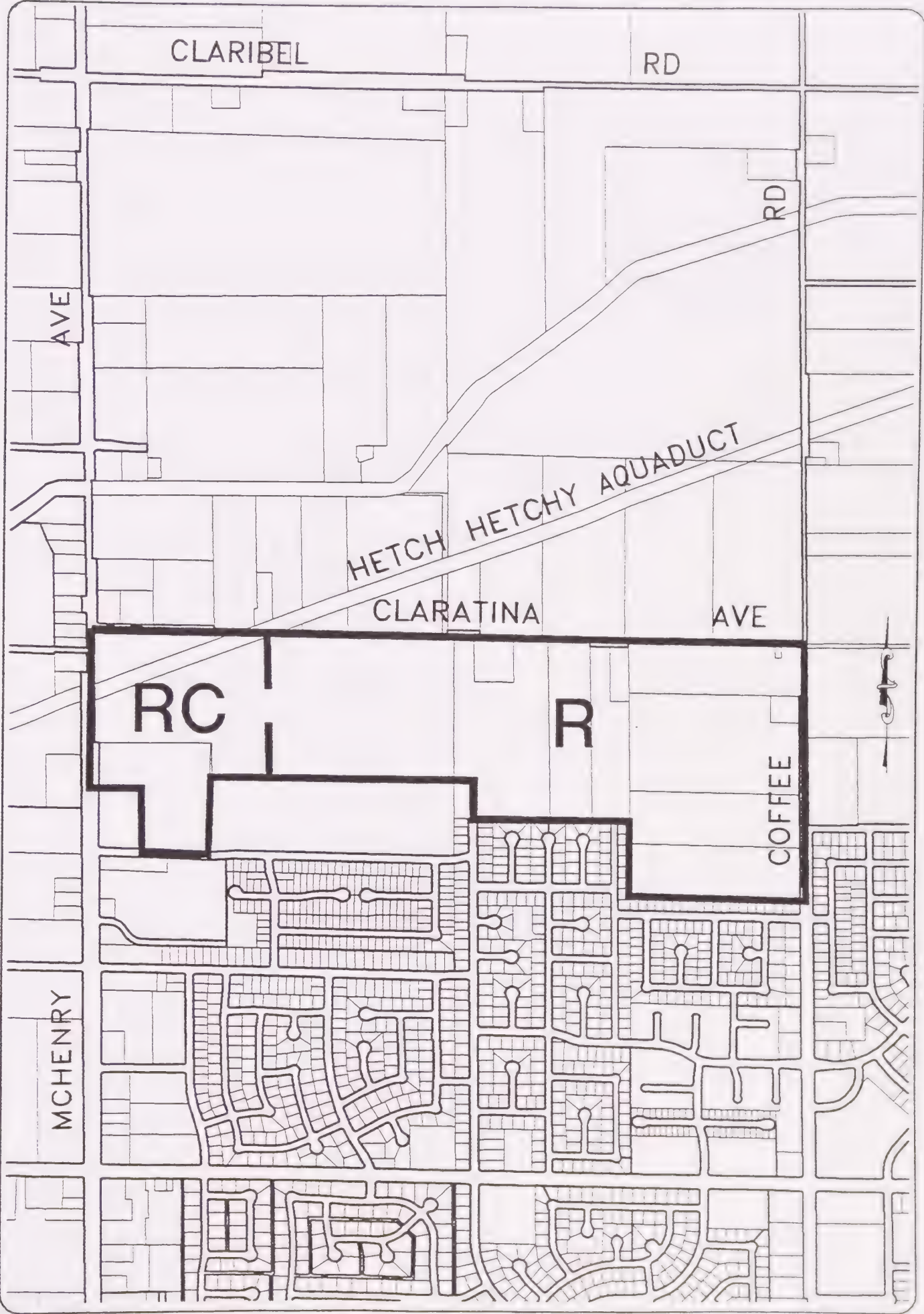
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 1,000 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 800 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

None.

COFFEE/CLARATINA C.P.D.



COLLEGE WEST

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 240-acre Comprehensive Planning District is comprised entirely of Business Park land uses. The site fronts on Brink Avenue frontage road, the Southern Pacific Railroad and Freeway 99. Access to this Freeway is limited to the Beckwith and Carpenter interchanges.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 240 acres designated "Business Park"

b. Distribution of Land Uses Within the CPD

Not applicable, as there is only one land use proposed.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

(1) Overall Land Use Policies (Section III-C(1))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) The Business Park uses located adjacent to Freeway 99 shall be designed to present an attractive gateway to the City.

c. Housing Policy Implementation:

Because this Comprehensive Planning District does not propose any residential uses, the Housing Policies presented in Chapter IV do not apply to this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District is presently served by the West sanitary sewer trunk.

6. Focused EIR:

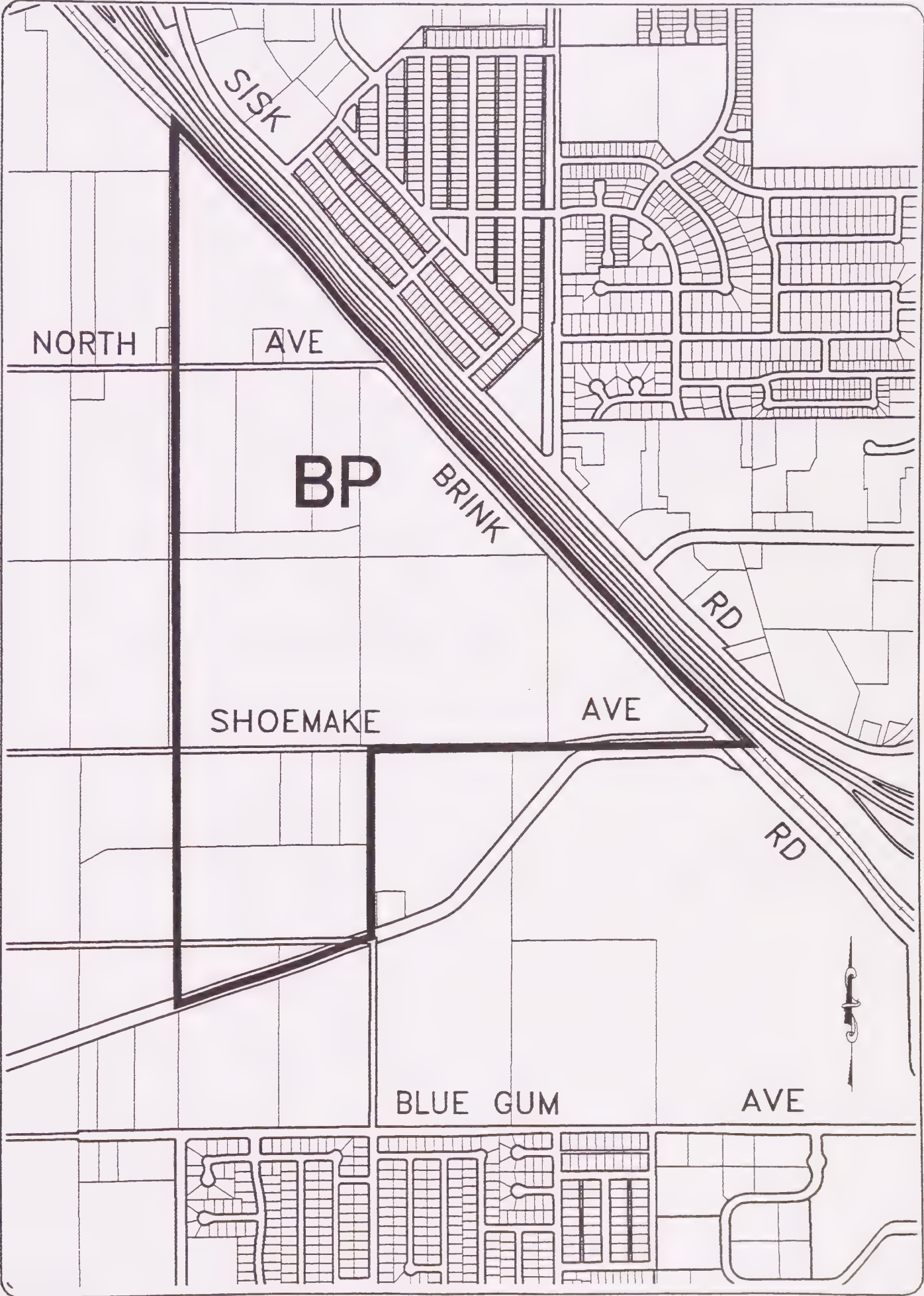
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 8,400 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The Final EIR prepared for the College West Industrial Park in 1991, should be consulted on the preparation of the Comprehensive Plan for this Comprehensive Planning District.

COLLEGE WEST C.P.D.



DRY CREEK

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 460-acre Comprehensive Planning District contains a significant amount of public land owned by the City of Modesto, along the Dry Creek flood plain. A linear park is anticipated in this Comprehensive Planning District.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 460 acres designated "Open Space"

b. Distribution of Land Uses Within the CPD

Not applicable, as there is only one land use proposed.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

(1) Overall Land Use Policies (Section III-C(1))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) This Comprehensive Planning District anticipates a public park. Prior to acquiring parcels, interim residential uses may be allowed, as provided by the Open Space Land Use Designation presented in Section III-B.

c. Housing Policy Implementation:

Because this Comprehensive Planning District does not propose any residential uses, the Housing Policies presented in Chapter IV do not apply to this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by adjacent City sewer lines.

6. Focused EIR:

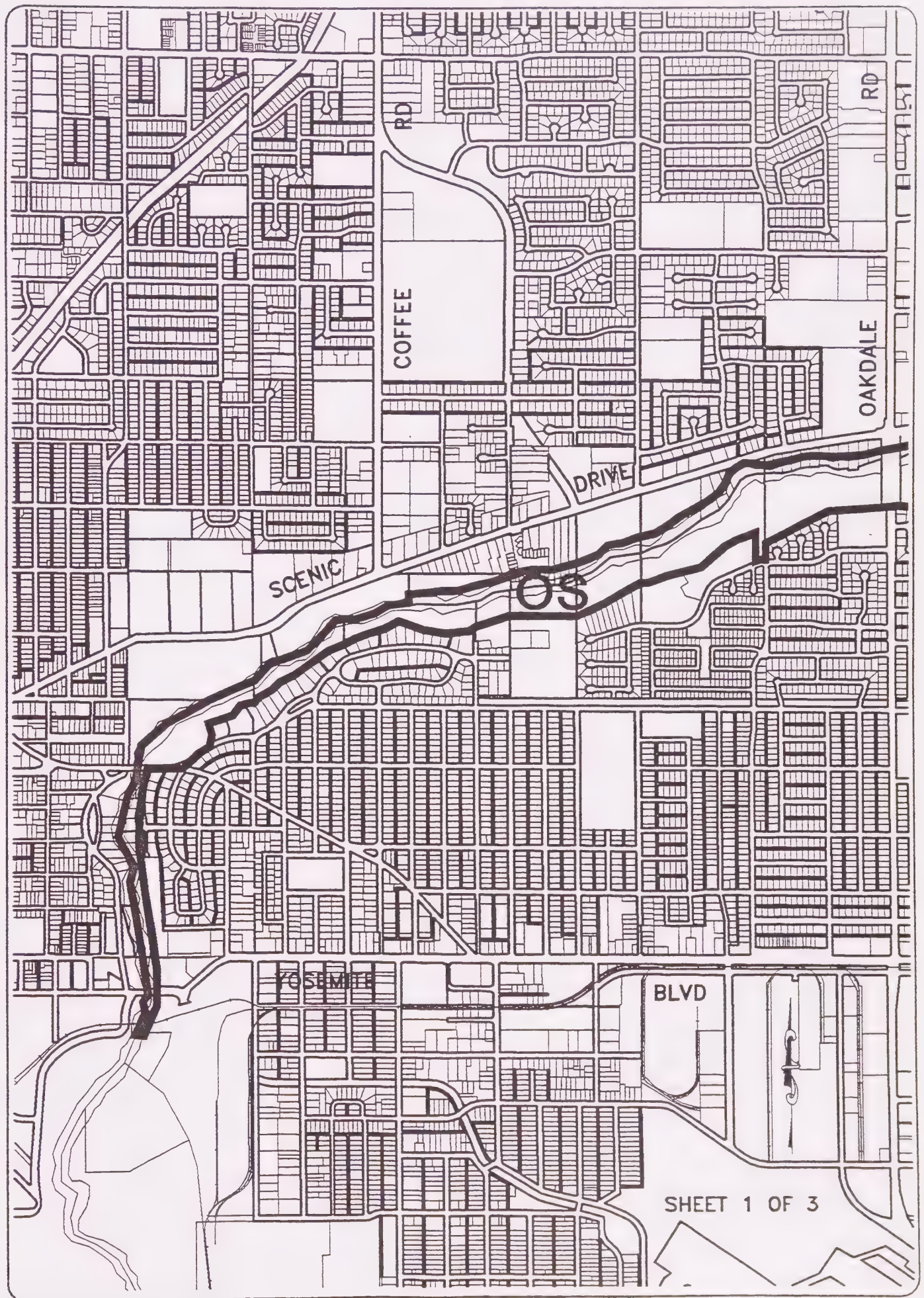
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 50 dwelling units was assumed for this Comprehensive Planning District.

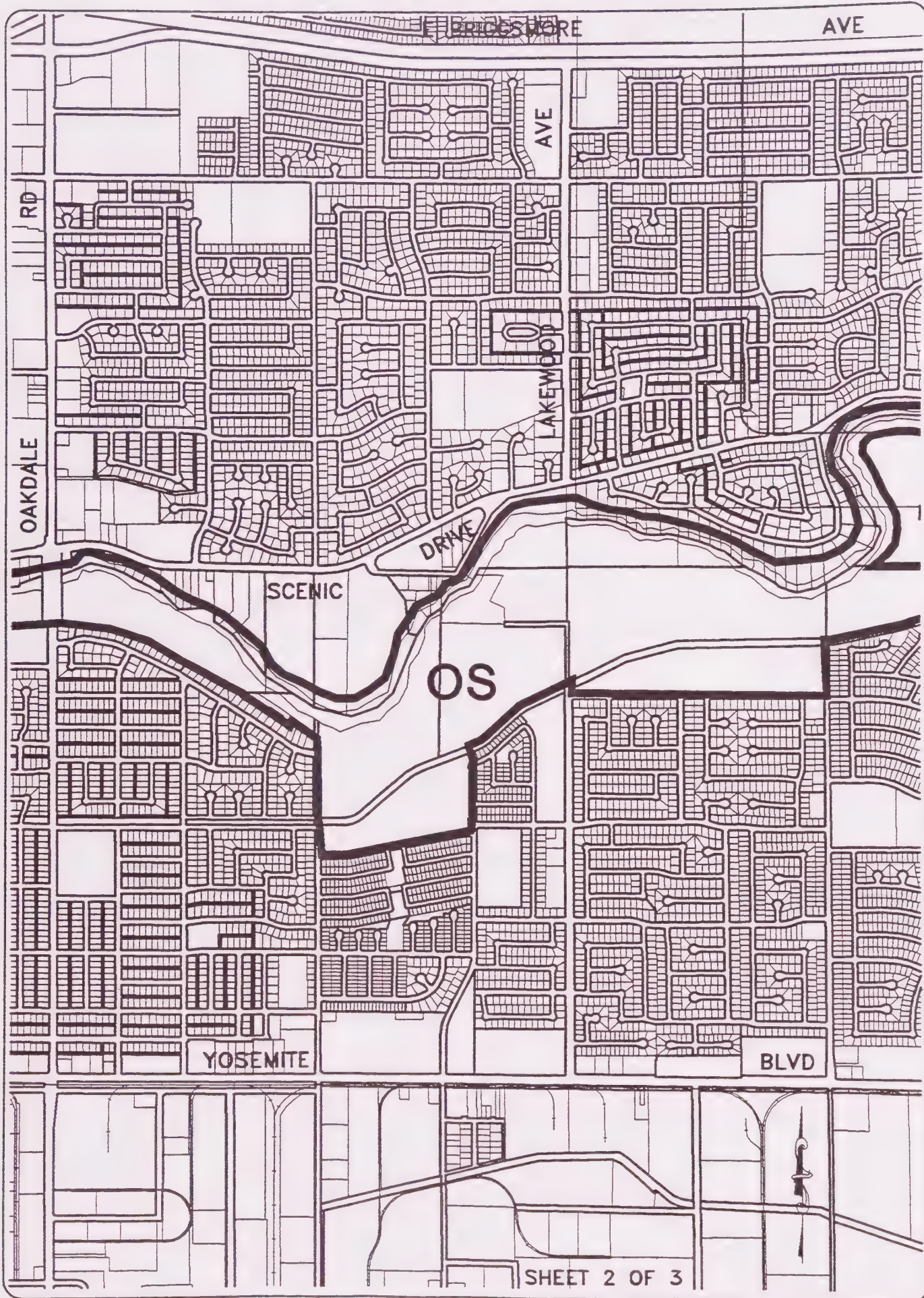
7. Special Considerations Unique to this Comprehensive Planning District:

- a. The exact boundaries of this comprehensive Planning District shall be determined by the Comprehensive Plan.
- b. The preparation of a Park Master Plan for the regional park shall suffice as the Comprehensive Plan for this Comprehensive Planning District.

DRY CREEK C.P.D.



DRY CREEK C.P.D.



DRY CREEK C.P.D.

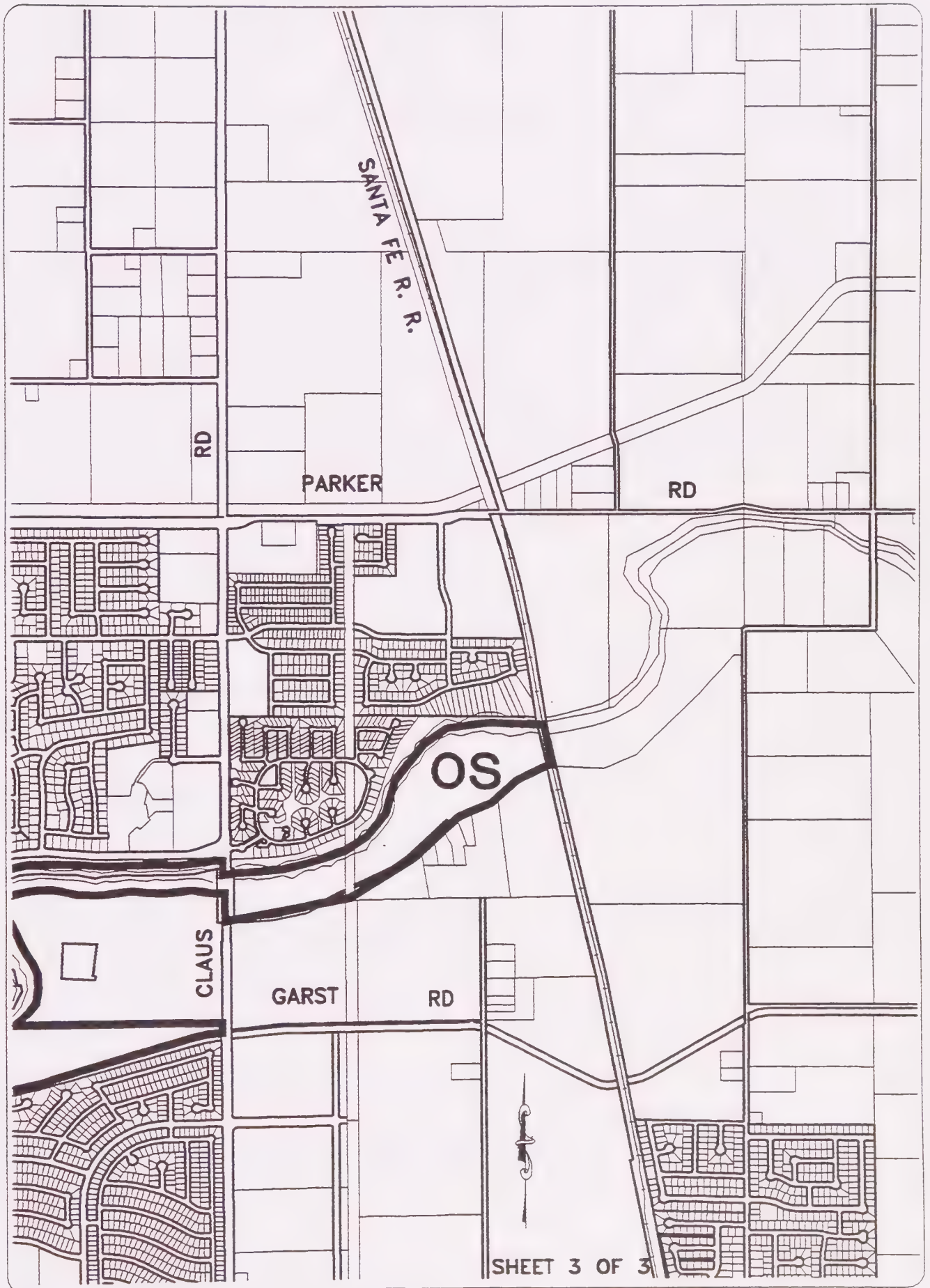


Exhibit III-6

EMPIRE NORTH

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 270-acre Comprehensive Planning District proposes predominantly "Village Residential" uses immediately north of existing residential development in Empire. Dry Creek, running through the north end of this Comprehensive Planning District, presents a significant opportunity for recreational and open space opportunities.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 270 acres designated "Village Residential"

b. Distribution of Land Uses Within the CPD

Not applicable, as there is only one land use proposed.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 1,400 dwelling units.
- (2) Compatibility with Santa Fe Railroad, as a significant noise generator, should be addressed in the Comprehensive Plan for this Comprehensive Planning District.
- (3) The Comprehensive Plan for this Comprehensive Planning District should incorporate open space and recreational opportunities along Dry Creek, as an extension of the Dry Creek Comprehensive Planning District. These may incorporate the River Greenway Program policies presented in Section B-6 of Chapter VII.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by the Yosemite sanitary sewer trunk. As an interim measure, a tie-in to the existing sanitary sewer lines in Empire may be permitted, as determined by the Public Works and Transportation Department.

6. Focused EIR:

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 1,400 dwelling units was assumed for the Comprehensive Planning District.
- b. A biological analysis will need to be prepared.

7. Special Considerations Unique to this Comprehensive Planning District:

None.

EMPIRE NORTH C.P.D.

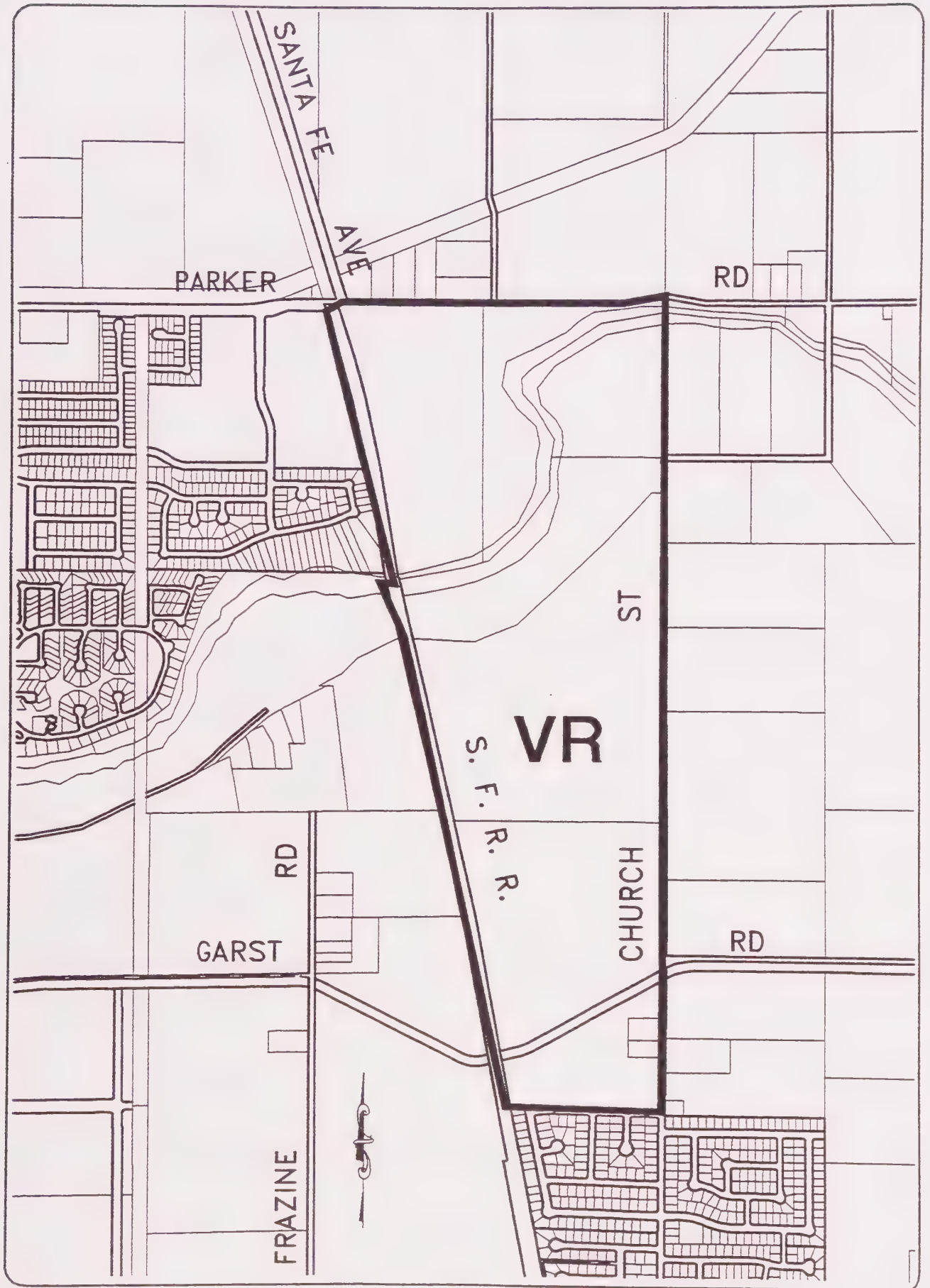


Exhibit III-7

FAIRVIEW

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This Comprehensive Planning District proposes the preparation of a Specific Plan which will provide for the orderly development of approximately 350 acres of agricultural land with a variety of residential uses, a neighborhood commercial center, an elementary school, and neighborhood parks. Approximately 2,050 residential units are proposed. The project boundaries include Fairview Elementary School, and a second elementary school is proposed within the project site. Approximately 25 acres of parks are proposed.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 350 acres designated "Village Residential"

b. Location:

The support commercial uses in the Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 2,050 dwelling units.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by a short subtrunk extension from the trunk sewer in South Modesto.

6. Focused EIR:

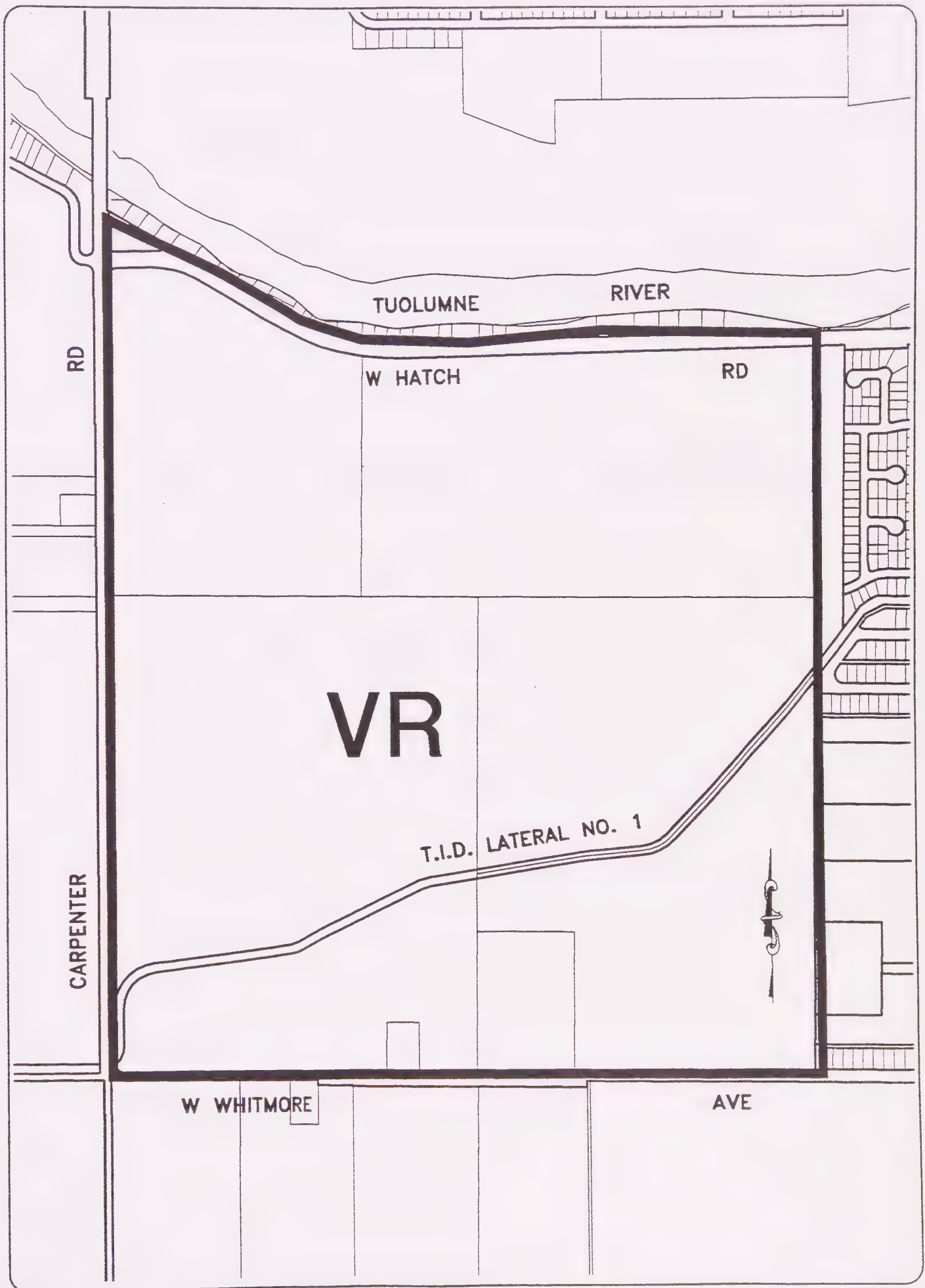
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 2,050 dwelling units was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The exact boundaries of this Comprehensive Planning District will be determined by the Comprehensive Plan.

FAIRVIEW C.P.D.



HETCH HETCHY

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 980-acre Comprehensive Planning District, located between Claribel Road and Claratina Avenue (a proposed expressway), proposes predominantly "Village Residential" uses. The Hetch hetchy electrical transmission lines and aqueduct, which ultimately serve the City and County of San Francisco, traverse this site in a 110-foot-wide right-of-way.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 860 acres designated "Village Residential"
- 120 acres designated "Regional Commercial"

b. Distribution of Land Uses Within the CPD

- (1) The regional commercial uses are located along the east side of McHenry Avenue to accommodate the established commercial uses along McHenry Avenue.
- (2) The supporting commercial uses in the Village Residential portion of this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 4,400 dwelling units.
- (2) The Hetch Hetchy right-of-way, power lines, and aqueduct that traverse this Comprehensive Planning District present a significant design constraint that should be addressed.
- (3) The regional commercial uses should be located along the east side of McHenry Avenue to join the established commercial uses along McHenry Avenue.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by an extension of the North Trunk from Dale Road easterly through two Comprehensive Planning Districts: Kiernan/Carver and Kiernan/McHenry.

6. Focused EIR:

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

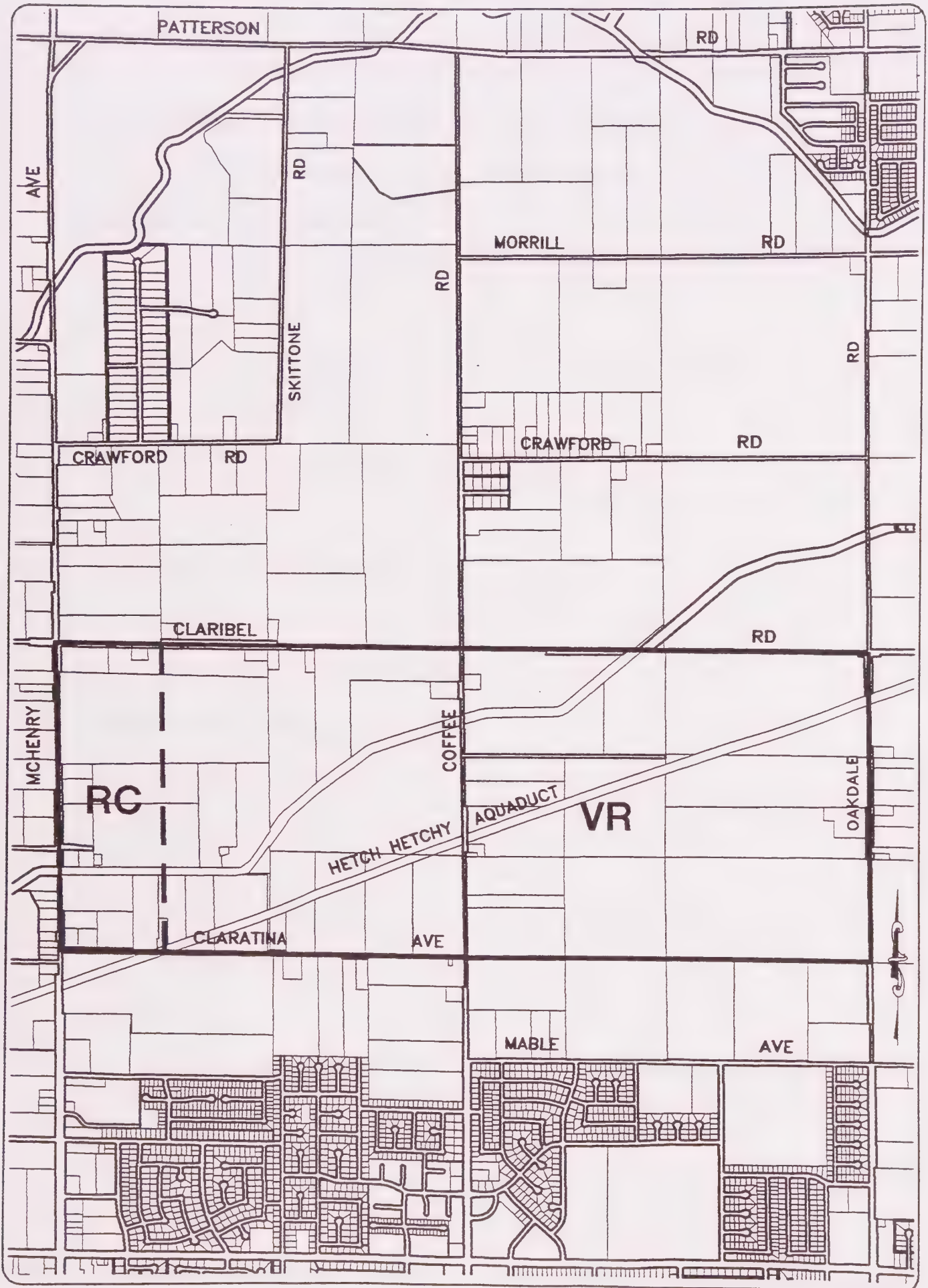
a. A total of 4,400 dwelling units was assumed for this Comprehensive Planning District.

b. A total of 3,100 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The exact boundary between the Village Residential and Regional Commercial uses will be determined by the Comprehensive Plan.

HETCH HETCHY C.P.D.



HIGHWAY 99

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 570-acre Comprehensive Planning District proposes regional commercial uses to take advantage of proximity to Highway 99, and to present a "gateway" to Modesto.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 570 acres designated "Regional Commercial"

b. Distribution of Land Uses Within the CPD

Not applicable, as there is only one land use proposed.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

(1) Overall Land Use Policies (Section III-C(1))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

(1) The Regional Commercial uses located adjacent to Freeway 99 shall be designed to present an attractive gateway to the City.

c. Housing Policy Implementation:

Because this Comprehensive Planning District does not propose any residential uses, the Housing Policies presented in Chapter IV do not apply to this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District can be served by a Westerly extension of the North Sanitary Sewer Trunk. However, downstream capacity in the system cannot accommodate the Highway 99 Comprehensive Planning District and Stoddard Comprehensive Planning District and the planned easterly extension to serve the City's North end. At some point, the westerly leg of the North Trunk will have to be served by the West No. 2 Trunk and a force main and trunk to the primary treatment plant.

6. Focused EIR:

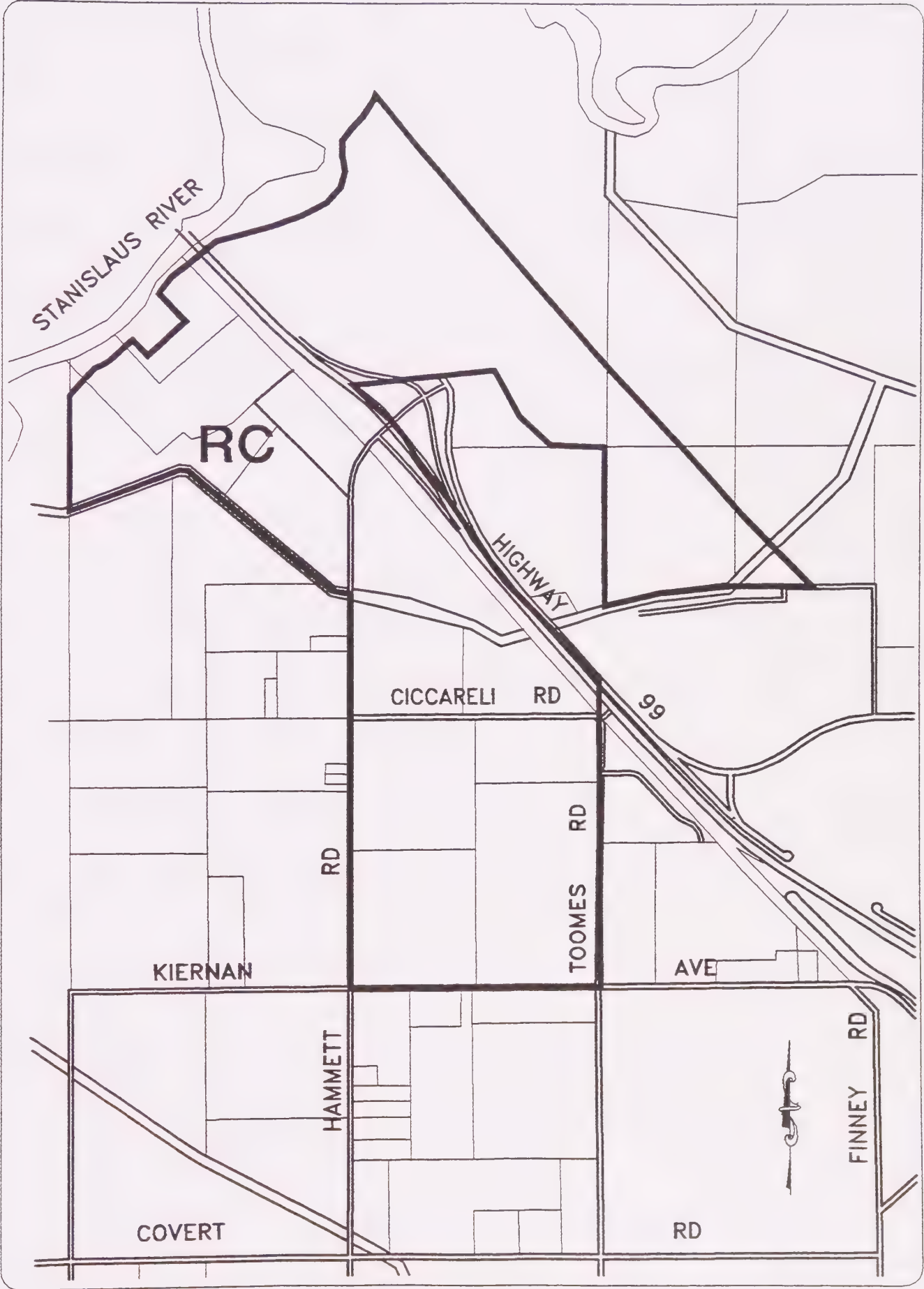
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 11,000 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The exact boundaries of this Comprehensive Planning District will be determined by the Specific Plan.

HIGHWAY 99 C.P.D.



**HIGHWAY 132 BUSINESS PARK
COMPREHENSIVE PLANNING DISTRICT**

1. Overview

This 660-acre Comprehensive Planning district proposes a Business Park that would benefit from its proximity to Highway 132.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 660 acres designated "Business Park"

b. Distribution of Land Uses Within the CPD

Not applicable, as there is only one land use proposed.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

(1) Overall Land Use Policies (Section III-C(1))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

(1) The Business Park uses adjacent to Highway 132 shall be designed to present an attractive gateway to the City.

- (2) Adequate buffering shall be provided between Business Park uses and residential uses to the north, east, and south.

c. Housing Policy Implementation:

Because this Comprehensive Planning District does not propose any residential uses, the Housing Policies presented in Chapter IV do not apply to this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District is already served by the West Sanitary Sewer Trunk.

6. Focused EIR:

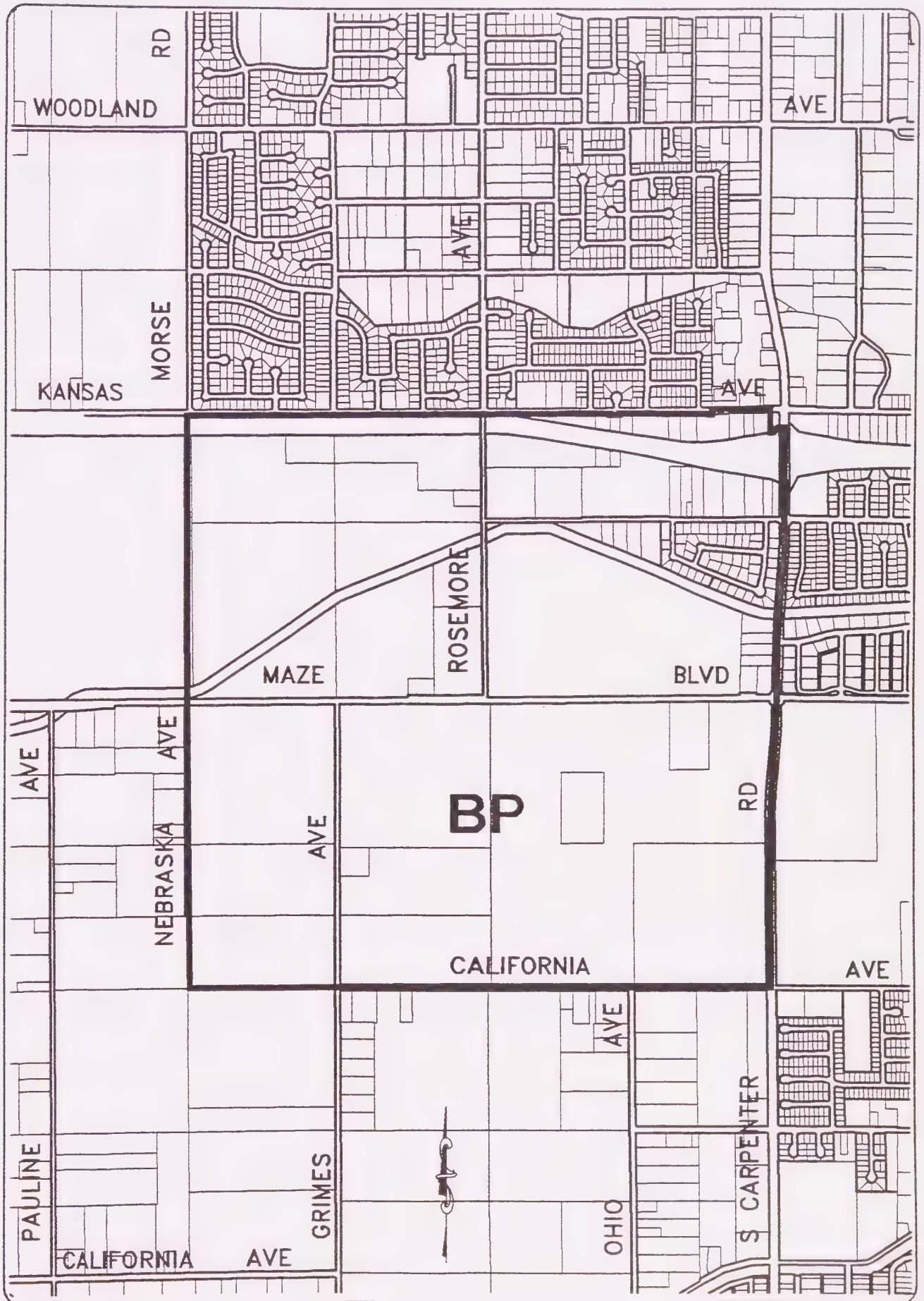
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 23,100 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

None.

HIGHWAY 132 C.P.D.



JOHANSEN

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 610-acre Comprehensive Planning District proposes predominantly "Village Residential" uses located immediately east of the Claus Expressway. Johansen High School, with significant community and recreational facilities, will serve as a major focal point in this future community.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 610 acres designated "Village Residential"

b. Distribution of Land Uses Within the CPD

Not applicable, as there is only one land use proposed.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 3,100 dwelling units.
- (2) Johansen High School and Sutton Community Park, as significant existing public facilities, should be a focal point in this Comprehensive Planning District.
- (3) Compatibility with Santa Fe Railroad, as a significant noise generator, should be addressed in the Comprehensive Plan for this Comprehensive Planning District.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by the easterly extension of the Yosemite sanitary sewer trunk along Yosemite Boulevard from Claus Road adjacent to the West, to the Town of Empire.

6. Focused EIR:

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 3,100 dwelling units was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

None.

JOHANSEN C.P.D.

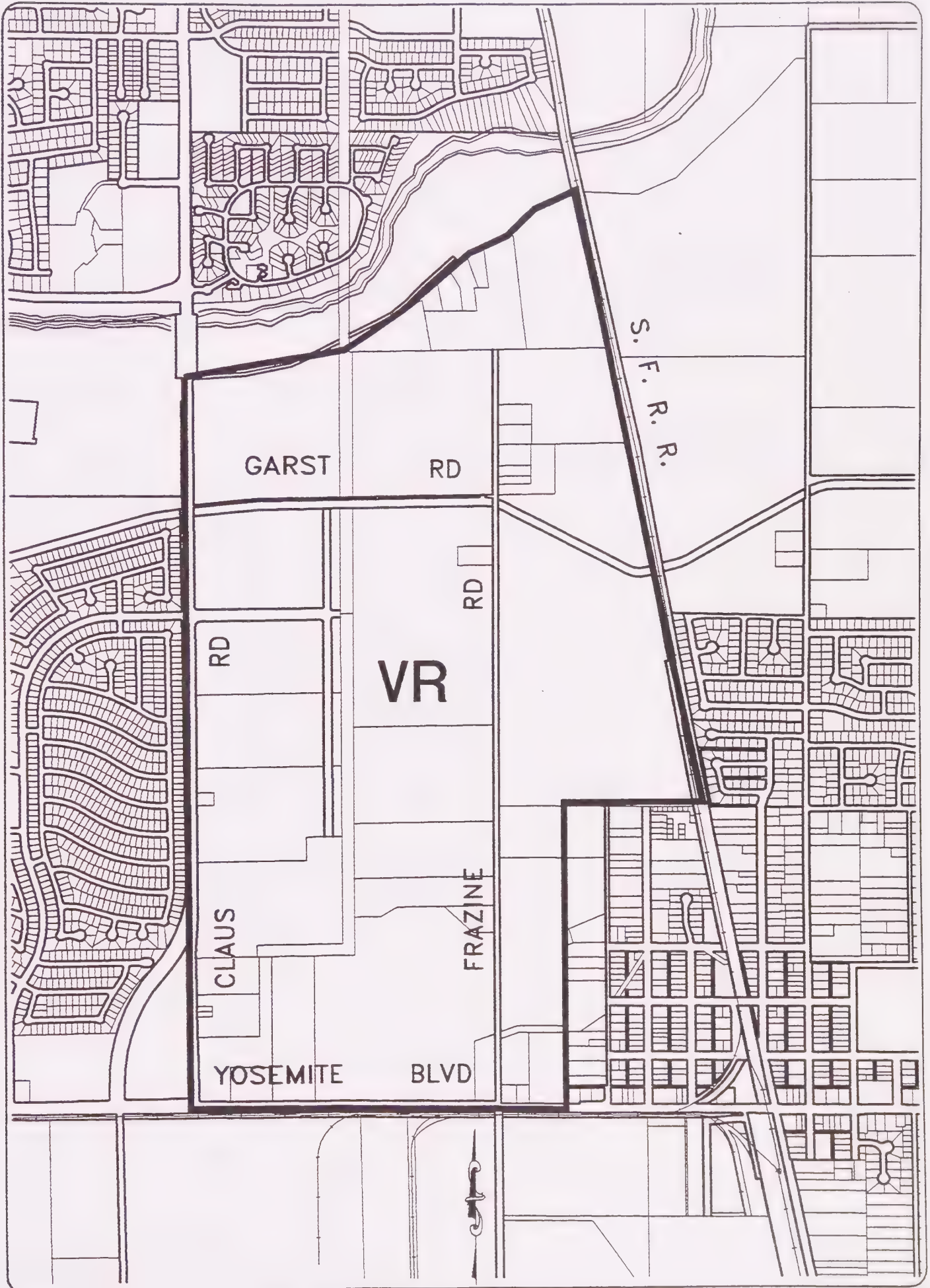


Exhibit III-12

KIERNAN/CARVER

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 1,385-acre Comprehensive Planning District proposes a 660 acre Business Park fronting on the future Pelandale Avenue and Kiernan Avenue expressways, and 650 acres of Village Residential uses on the eastern half of the Comprehensive Planning District. Also included is a regional commercial center on Pelandale Avenue.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 650 acres designated "Village Residential"
- 660 acres designated "Business Park"
- 75 acres designated "Regional Commercial"

b. Distribution of Land Uses Within the CPD

- (1) The Regional Commercial uses should be located near Highway 99 to take advantage of regional traffic.
- (2) The supporting commercial uses in the Village Residential portion of this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))

(2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Adequate buffering should be provided between the Business Park uses and residential use to the south and east.
- (2) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 3,300 dwelling units.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by an extension of the North Sanitary Sewer Trunk.

6. Focused EIR:

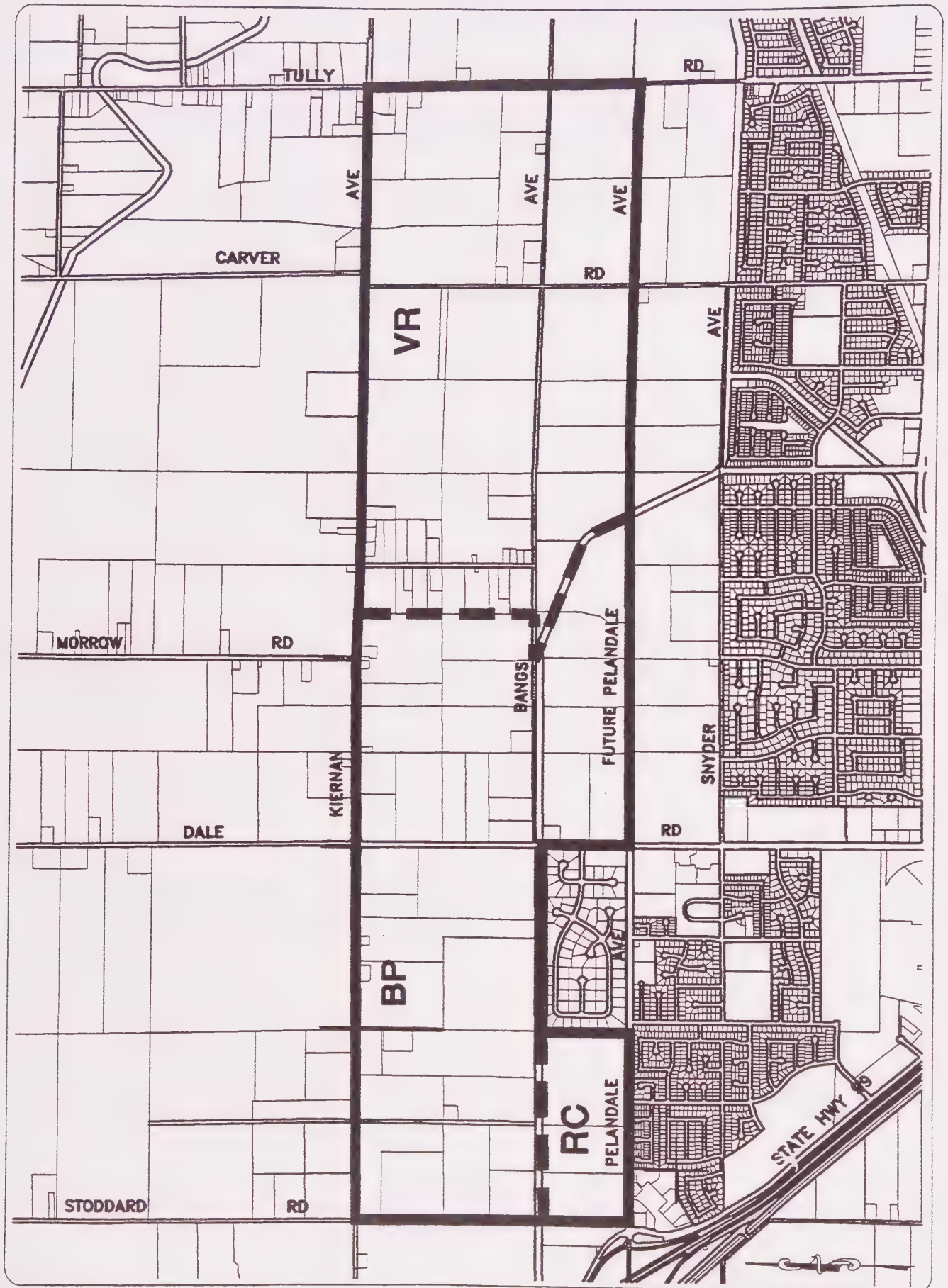
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 23,100 employees was assumed for this Comprehensive Planning District.
- b. A total of 3,300 dwelling units was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The final boundaries of the Business Park shall be determined by the Comprehensive Plan.

KIERNAN/CARVER C.P.D.



KIERNAN/CARVER NORTH

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 480-acre Comprehensive Planning District, location on the north side of Kiernan Avenue (a proposed expressway), proposes predominantly "Village Residential" uses, with Regional Commercial uses along McHenry Avenue.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 450 acres designated "Village Residential"
- 30 acres designated "Regional Commercial"

b. Distribution of Land Uses Within the CPD

- (1) The Regional Commercial uses are along the west side of McHenry Avenue to accommodate the established commercial uses on McHenry Avenue.
- (2) The supporting commercial uses in the Village Residential portion of this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 2,300 dwelling units.
- (2) The regional commercial uses should be located along the west side of McHenry Avenue to join the established commercial uses along McHenry Avenue.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by an extension of the North Trunk from Dale Road easterly through the Kieman/Carver Comprehensive Planning District.

6. Focused EIR:

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 2,300 employees was assumed for this Comprehensive Planning District.
- b. A total of 600 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The exact boundary between the Village Residential and Regional Commercial uses will be determined by the Comprehensive Plan.

KIERNAN/CARVER NORTH C.P.D.



KIERNAN/MCHENRY

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 470-acre Comprehensive Planning District is composed of Commercial and Business Park uses, designated to take advantage of access along Kiernan Avenue (State Highway 219). This Comprehensive Planning District may also support future light rail transit along the present Union Pacific Railroad tracks.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 370 acres designated "Business Park"
- 100 acres designated "Regional Commercial"

b. Distribution of Land Uses Within the CPD

The Regional Commercial is sited along McHenry Avenue to join the existing regional commercial uses on McHenry Avenue.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) The design of this Comprehensive Planning District should support the future use of light rail along the Union Pacific tracks.

c. Housing Policy Implementation:

Because this Comprehensive Planning District does not propose any residential uses, the Housing Policies presented in Chapter IV do not apply to this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by the North Sanitary Sewer Trunk after it is extended easterly through the Kiernan/Carver Comprehensive Planning District.

6. Focused EIR:

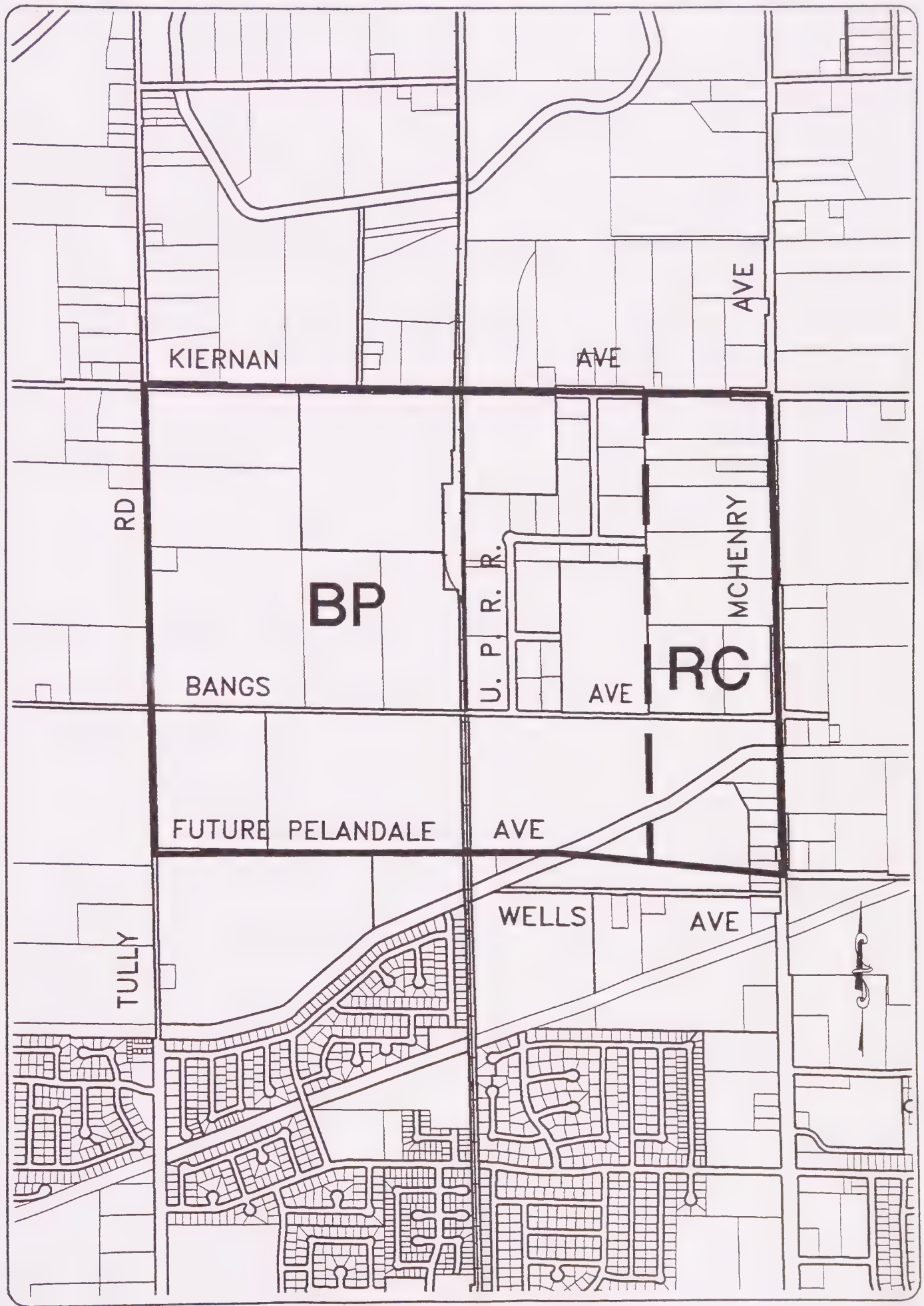
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 15,000 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The exact boundary between the Business Park and Regional Commercial uses will be determined by the Comprehensive Plan.

KIERNAN/MCHENRY C.P.D.



NORTH BEYER

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 160-acre Comprehensive Planning District is essentially an extension of the existing residential development south of Mable Avenue.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 160 acres designated "Residential"

b. Distribution of Land Uses Within the CPD

None, as there is only one land use proposed.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) "Neighborhood Plan Prototype" Policies (Section III-C(2))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 1,200 dwelling units.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by a subtrunk in Coffee Road that ties into the existing sanitary sewer system.

6. Focused EIR:

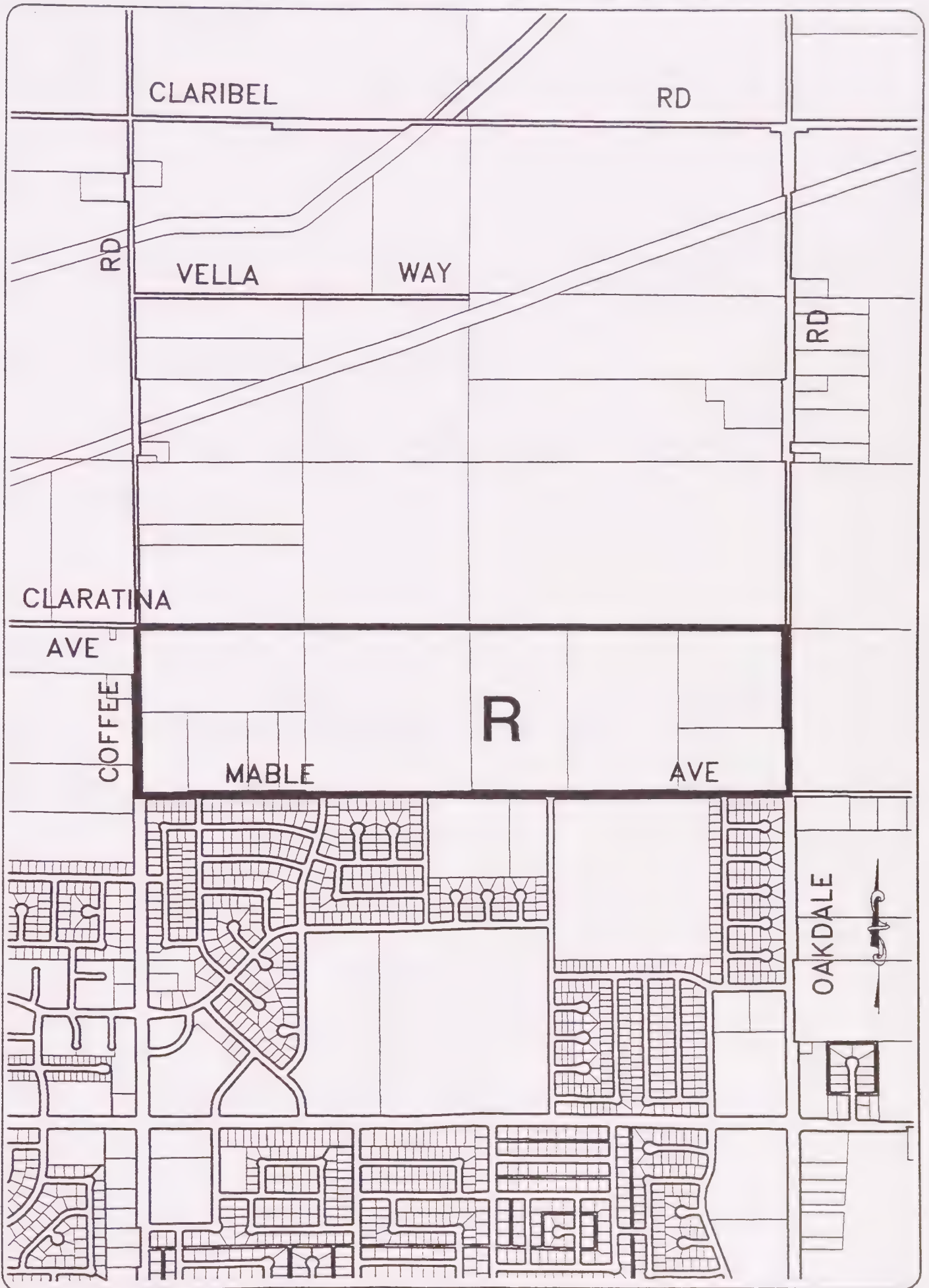
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 1,200 dwelling units was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

None.

NORTH BEYER C.P.D.



PARADISE/CARPENTER

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 810-acre Comprehensive Planning District promotes predominantly "Village Residential" uses. The eastern boundary of this Comprehensive Planning District would take access to a future Carpenter Road Expressway.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 810 acres designated "Village Residential"

b. Distribution of Land Uses Within the CPD

The support commercial uses in this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 4,100 dwelling units.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District is already served by the West Sanitary Sewer Trunk.

6. Focused EIR:

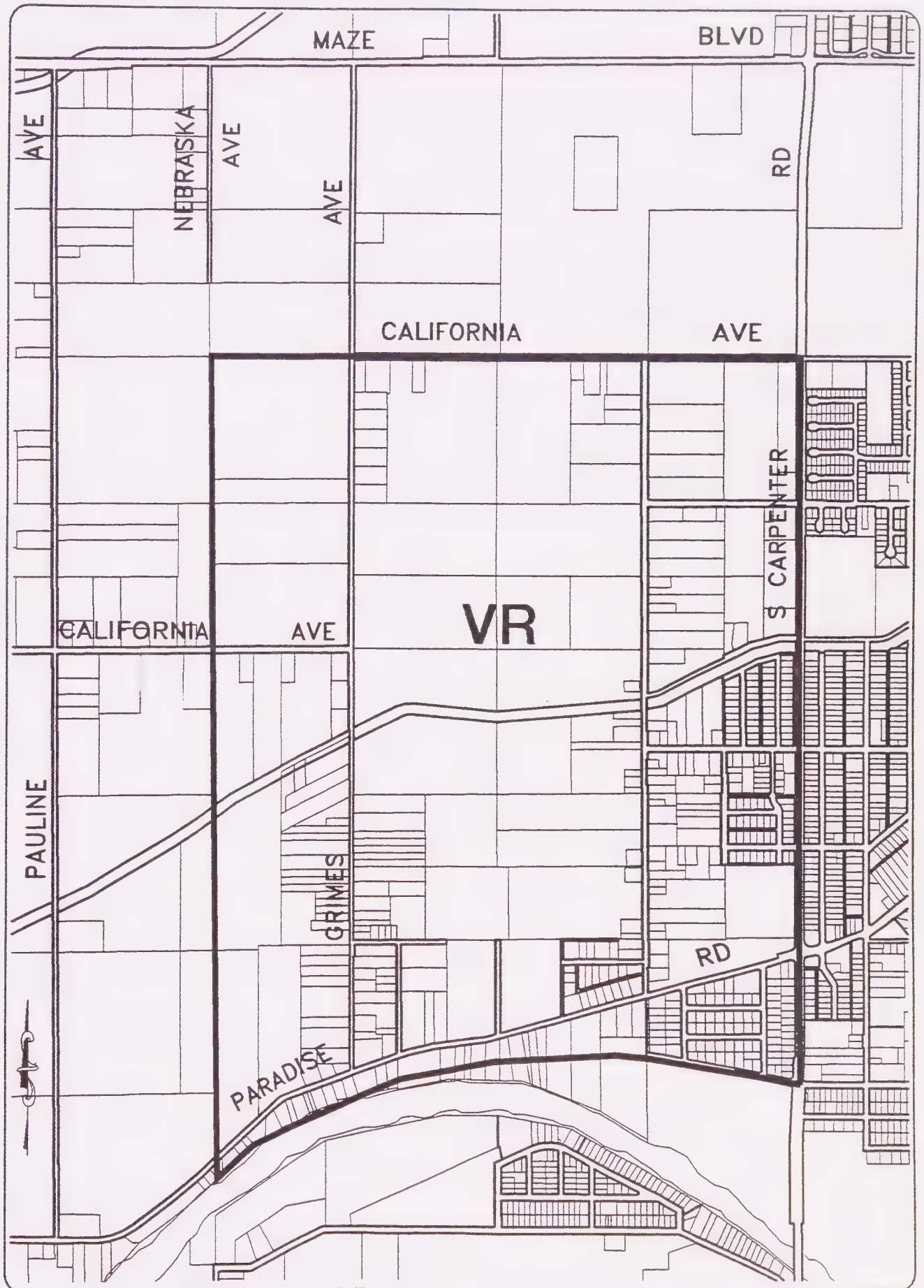
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 4,100 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 600 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The exact boundaries of this Comprehensive Planning District will be determined by the Comprehensive Plan.

PARADISE/CARPENTER C.P.D.



PELANDALE/MCHENRY

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 80-acre Comprehensive Planning District is composed of Residential and Commercial uses, designed to take advantage of access along McHenry Avenue. This Comprehensive Planning District, in conjunction with the Kiernan/McHenry Comprehensive Planning District, may also support future Light Rail Transit along the present Union Pacific Railroad Tracks.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 50 acres designated "Residential"
- 30 acres designated "Regional Commercial"

b. Distribution of Land Uses Within the CPD

The Regional Commercial uses should be located along the West side of McHenry Avenue to join the established commercial uses along McHenry Avenue.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) "Neighborhood Plan Prototype" Policies (Section III-C(2))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 400 dwelling units.
- (2) The uses in this Comprehensive Planning District should support the future use of light rail along the Union Pacific tracks.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by the North Sanitary Sewer Trunk extension after it passes through these Comprehensive Planning Districts to the west: Kiernan/Carver, Kiernan/McHenry.

6. Focused EIR:

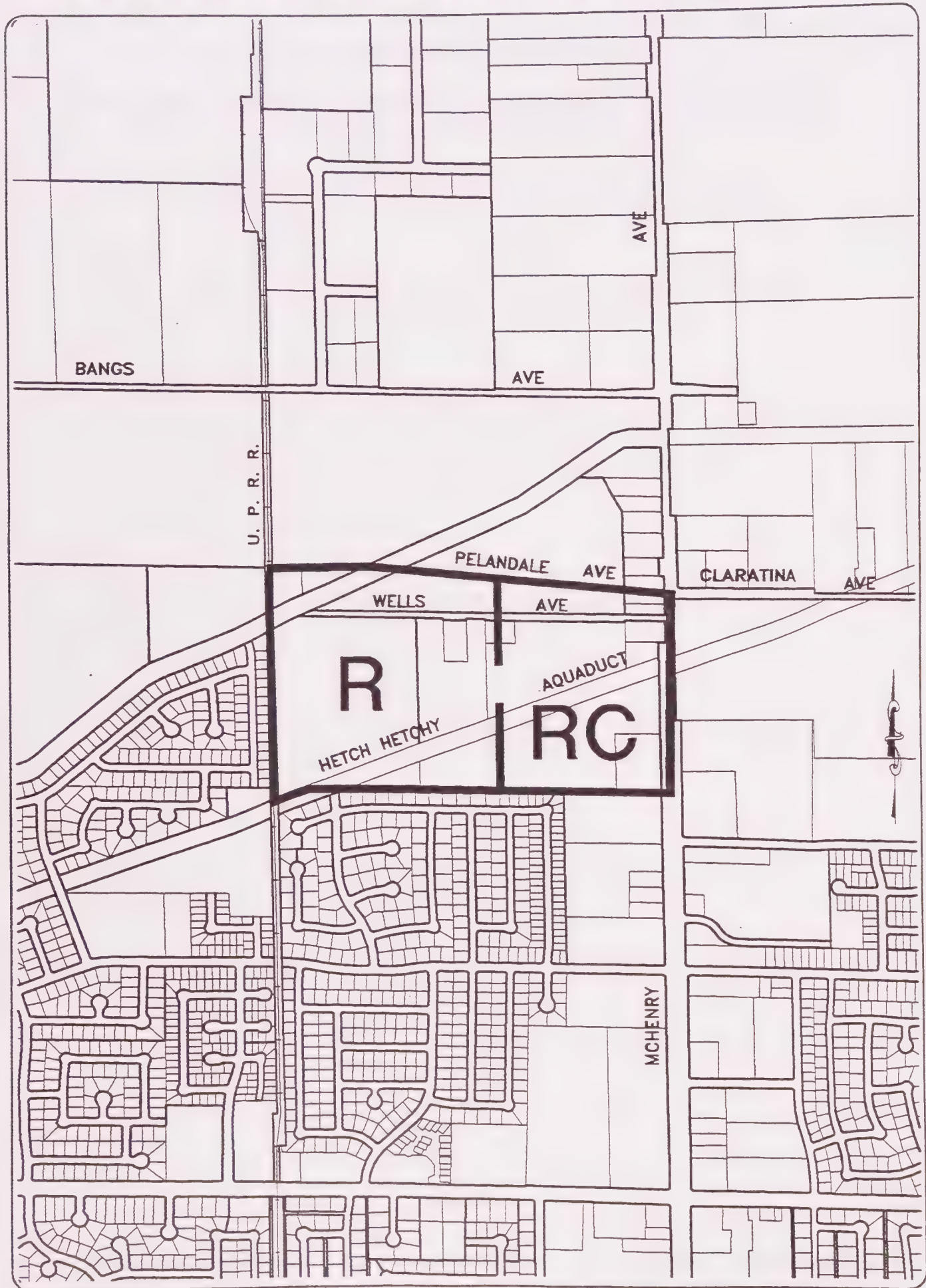
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 400 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 600 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The exact boundary between the Residential uses and the Regional Commercial uses will be determined by the Comprehensive Plan.

PELANDALE/MCHENRY C.P.D.



PELANDALE/SNYDER

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 390-acre Comprehensive Planning District is essentially an extension of the existing residential south of Snyder Avenue.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 390 acres designated "Residential"

b. Distribution of Land Uses Within the CPD

Not applicable, as there is only one land use proposed.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

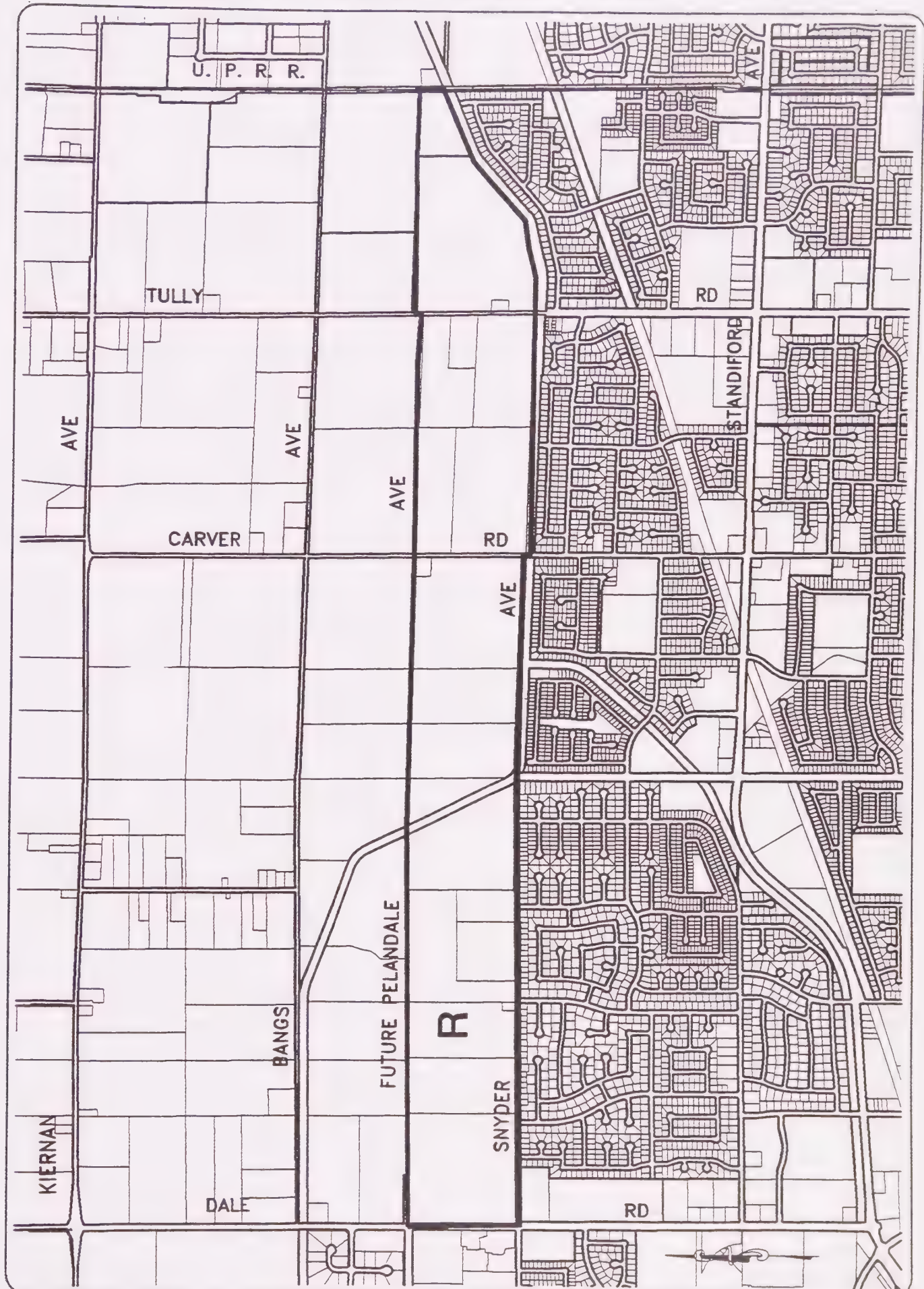
- (1) Overall Land Use Policies (Section III-C(1))
- (2) "Neighborhood Plan Prototype" Policies (Section III-C(2))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

This is a detailed street map of a residential area in San Francisco. The map shows a grid of streets with various labels. At the top, there is a street labeled 'PLAINVIEW' and 'RD'. Below it, 'SYLVAN' and 'AVE' are visible. To the left, 'OAKDALE' and 'RD' are shown. In the center, 'FLOYD' and 'ROSELLE' are labeled. Below these, 'MERLE' and 'E BRIGGSWORE' are visible. To the right, 'CLAUDE' and 'RD' are shown. The map also features a large residential area labeled 'VR' and 'BP'. A street labeled 'S.F. R.R.' runs diagonally across the map. Other streets include 'LITT', 'AVE', 'RICE', 'MILNES', 'PARKER', and 'RD'. The map is oriented with North at the top.

PELANDALE/SNYDER C.P.D.



ROSELLE/CLARIBEL

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 1,700-acre Comprehensive Planning District is intended to create a mixed-use, pedestrian-oriented community similar in nature to Village One. In addition, a business park is proposed adjacent to the Santa Fe Railroad.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 1,430 acres designated "Village Residential"
- 260 acres designated "Business Park"

b. Distribution of Land Uses Within the CPD

- (1) The Business Park should be located adjacent to the Santa Fe Railroad.
- (2) The supporting commercial uses in this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential areas.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 7,300 dwelling units.
- (2) Adequate buffering shall be provided between the residential uses and the business park uses in this Comprehensive Planning District.
- (3) Special consideration shall be given in the design of this Comprehensive Planning District and the following edges: the high school site proposed by Village One; the Santa Fe Railroad; and the southern edge of the Riverbank General Plan/Sphere of Influence boundary.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District can be readily served by extensions of the Roselle and Lakewood Sanitary Sewer Trunks that are adjacent in the Village One Comprehensive Planning District.

6. Focused EIR:

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

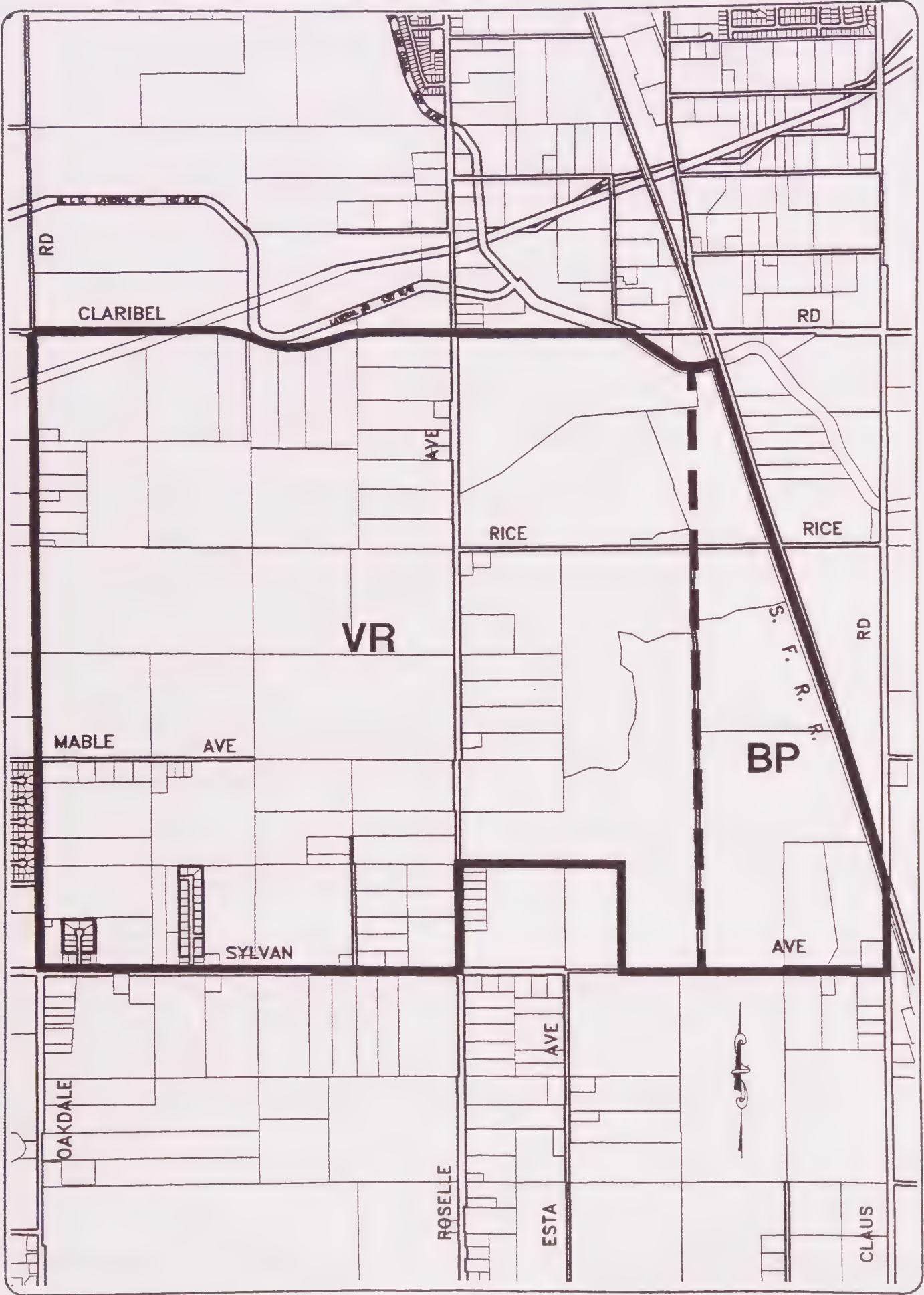
- a. A total of 7,300 dwelling units was assumed for this Comprehensive Planning District.

- b. A total of 10,200 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The exact boundary between the Village Residential uses and the Business Park uses shall be determined by the Comprehensive Plan.

ROSELLE/CLARIBEL C.P.D.



SALIDA

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 1,450-acre Comprehensive Planning District is intended to precisely match the land uses adopted by Stanislaus County for the Salida Community Plan. Whether this Comprehensive Planning District complete development in the County, or annexes to the City and complete development, the proposed land uses are the same.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types:

The land uses proposed for this Comprehensive Planning District are exactly the Use Designations proposed by the Stanislaus County General Plan for the Community Plan as of January 1, 1995 as follows:

Low Density Residential (as defined in the Stanislaus County General Plan as of January 1, 1995)

"Intent. The intent of this designation is to provide appropriate locations and adequate areas for single-family detached homes, in either conventional or clustered configurations. Single-family detached dwellings are the predominant housing type in areas so designated, and would remain so under this designation. Semi-detached dwellings and manufactured housing would be consistent with this designation.

Zoning. R-A (Rural Residential) and R-1 (Single-Family Residential) zones are appropriate within this designation. PD (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation. The use of the US (Urban Service) combining district in conjunction with any of the above zones would be appropriate for areas adjacent to unincorporated towns so that annexation to and service from the adjoining sanitary sewer district or community services district is required prior to

development. Residential building intensity when served by a community services district or sanitary sewer district and public water district is zero to eight units per net acre. Building intensity for areas not served by public water and sewer service is zero to two units per net acre. Population density ranges from zero to 25 persons per net acre in areas served by public water and sewer and zero to six persons per net acre in other areas. Small second units, as permitted by state law may increase both the building intensity and the population density to a limited degree within this designation.

Appropriate Locations. The Low Density Residential designation is appropriate in established residential areas characterized by single family dwellings. It would also be appropriate in areas: (a) designated by the Board of Supervisors for ranchettes of 1/2 to 1 acre in size if the area is of diminished agricultural importance but capable of supporting rural residential development based on the eight factors to be considered in locating "Estate Residential" land; or (b) adjacent to unincorporated towns which can serve the development after annexation to and service by a sanitary district or community services district."

Medium Density Residential (as defined in the Stanislaus County General Plan as of January 1, 1995)

"Intent. The intent of this designation is to provide appropriate locations for single and multiple family units, primarily in semi-detached or clustered arrangements. Typical housing types would be single family detached manufactured houses, duplexes, triplexes and low-mass multi-family units (townhouses and garden apartments). All lands within this designation shall be within the boundaries of a community services district, sanitary district or similar public district which provides urban services except where such designation existed at the time of adoption of this plan.

Zoning. The R-2 (Duplex Residential) zone is appropriate within this designation. PD (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation. PD zoning which allows sewage generated on site to be metered into the disposal system during non-peak hours are encouraged in communities with limited system capacity. Residential buildings intensity varies from zero to 14 units per net acre. Population density ranges from zero to 45 persons per net acre.

Appropriate Locations. The Medium Density Residential designation would be appropriate in areas adjacent to unincorporated towns where the Board of Supervisors has determined, pursuant to a community plan, that medium density residential use is needed. These areas will be developed only after annexation to and service by a sanitary district or community services district."

Medium High Density Residential (as defined in the Stanislaus County General Plan as of January 1, 1995)

"Intent. The intent of this designation is to provide appropriate locations for housing types including duplexes, triplexes, fourplexes, and apartment buildings. This designation shall be within the boundaries of a community services district, sanitary district or similar public district which provides urban services.

Zoning. The R-3 (Multiple-Family Residential) zone is appropriate within this designation. PD (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation. PD zoning which allows sewage generated on site to be metered into the disposal system during non-peak hours is encouraged in communities with limited system capacity. Residential building intensity varies from zero to 25 units per net acre. Population density ranges from zero to 85 persons per net acre.

Appropriate Locations. The Medium High Density Residential designation is appropriate in established residential areas characterized by duplexes, triplexes, fourplexes, and apartment buildings. It would also be appropriate in areas adjacent to unincorporated towns where the Board of Supervisors has determined, pursuant to a community plan, that medium high density residential use is needed. These areas will be developed only after annexation to and served by a sanitary district or community services district."

Commercial (as defined in the Stanislaus County General Plan as of January 1, 1995)

"Intent. The intent of this designation is to indicate areas best suited for various forms of light or heavy commercial uses, including, but not limited to, retail, service and wholesaling operations. The County has one designation to correspond to the various commercial zoning districts. This designation is intended for lands which demonstrate a valid supportive relationship to other existing or projected urban development.

Zoning. C-1 (Neighborhood Commercial), C-2 (General Commercial), and H-1 (Highway Frontage Commercial) zones shall be considered consistent with this designation. PD (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation. The building intensity shall be determined by Zoning Ordinance development standards for setback, landscaping, height, parking and other requirements except that residential building intensity shall not exceed 25 units per net acre. In no case shall buildings exceed 75 feet in height nor shall they cover so much of the lot that insufficient area remains for parking, landscaping,

etc. In commercial zones which allow dwelling units, population density can range from zero to 85 persons per net acre.

Appropriate Locations. The Commercial designation is appropriate in areas already committed to commercial use. In unincorporated towns this designation is appropriate for Central Business Districts and other areas within the sanitary sewer or community services district in sufficient amount to serve the needs of the community. Areas adjacent to community services district may also be appropriate if the US (Urban Service) combining zone is utilized."

Industrial (as defined in the Stanislaus County General Plan as of January 1, 1995)

"Intent. The intent of this designation is to indicate areas for various forms of light or heavy industrial uses, including, but not limited to, manufacturing and warehousing. Generally, the Industrial designation shall be used in areas where public sewer and water is available or where the restrictions of the Planned Industrial designation is inappropriate. The Planned Industrial designation shall be used instead of the Industrial designation unless (a) the property to be designated is intended for a single-use applicant not permitted in the Planned Industrial designation and needing a very large site (see discussion under **DESIGNATING NEW INDUSTRIAL AREAS (Page 38)** or, (b) the property is adjacent to an existing industrial area which is reaching capacity and whose services can be extended to serve the expansion.

Zoning. The LM (Limited Industrial, M (Industrial), and PI (Planned Industrial) zones shall be consistent with this designation. PD (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation. Building intensity is governed by the fact that the Zoning Ordinance prohibits more than 75% coverage of the property by buildings. Buildings for human occupancy shall not exceed 75 feet in height. Population density is almost nonexistent as only one residential unit per parcel is allowed and then only if it is secondary to the industrial use of the property.

Existing Locations. Nearly all existing industrial areas are within or adjacent to the sphere of Influence of a City or special district which serves an unincorporated town. Only one...west of McHenry (see Salida Community Plan in Stanislaus County's General Plan for complete text).

Designating New Industrial Areas. The amount of land designated as Industrial in the County has changed very little in the past 10 years, decreasing slightly during a five year period from 1979 to 1984 by about 6.9%. Most of this decrease

has been through annexation to cities. Although a great deal of land is still available for industrial development, more than 70% is located in the Beard Tract.

The criteria listed below shall be used in evaluating potential areas, both for general Industrial designation and for designating sites for industries that need very large sites. There are few industries with the need for extremely large parcels but they do exist. It is not practical to designate a large industrial area because a large amount of land might lay idle for an extended period of time. If an industry requiring a large site approaches the County or if more industrial sites are needed, the following criteria shall be used in determining whether or not a site is suitable for being designated Industrial:

- a. **Access.** The proposed site should have adequate access to handle the type and quantity of traffic associated with industrial uses without impacting existing facilities. This shall usually mean that the area will be located on a major road at a minimum, with location on a state highway preferred.
- b. **Sewage disposal.** Public sanitary sewer service should be available and a written commitment for service received. (Lands suitable for industrial development but without public sanitary sewer service should more appropriately be designated Planned Industrial.)
- c. **Water.** An adequate supply of potable water should be available for industrial usage including water needed for fire suppression. Generally this will require a public water supply in order to meet fire flow standards.
- d. **Infrastructure.** Other utilities (such as natural gas, electricity) shall be reasonably available to the site as might be required by the proposed uses.
- e. **Topography.** The site is physically suitable for industrial development.
- f. **Williamson Act and other constraints to development.** The site should be free from constraints such as valid Williamson Act Contracts that would inhibit rezoning and development of the area.
- g. **Conflicts.** The proposed site development shall not cause land use conflicts with surrounding properties. From this viewpoint, expansion of existing areas is more desirable than designating totally new areas.
- h. **City General Plan Land Use Designation.** Any new areas proposed for industrial designation shall not be inconsistent with the General Plan of any City in whose Sphere of Influence they lie."

Planned Industrial (as defined in the Stanislaus County General Plan as of January 1 1995)

"Intent. The intent of this designation is to provide locations for light industrial development. Such locations may be so designated on the initiative of the county or may be requested by a property owner or group of property owners. The Planned Industrial designation shall be preferred to the Industrial designation as it allows more control of development to ensure that impacts on adjoining properties are reduced. It shall be used largely in areas without public sewer and/or water service but shall only be used if it is practical, both physically and financially to prove sewage disposal and water service as needed by the proposed development.

Zoning. Building intensity will be determined by the County on an individual basis, depending upon the nature and location of the proposed planned development. However, no buildings shall cumulatively occupy more than 70% of the area of any parcel. Population density is almost nonexistent as only one residential unit per parcel is allowed if it is secondary to the industrial use of the property. The A-2 (Exclusive Agriculture), PI (Planned Industrial), PD (25), PD (30), PD (43), PD (77), PD (88) and PD (126) zones shall be consistent with this designation.

Annexation. Areas designated Planned Industrial on the General Plan and rezoned for development which are located within the adopted Sphere of Influence of a city shall include the requirement that an agreement be signed in a form satisfactory to the City Attorney of the affected city and Stanislaus County Counsel guaranteeing that the property on which the planned industrial designation is applicable will be annexed to the affected city upon demand by the city and with the approval of the Stanislaus County Board of Supervisors.

Appropriate Locations. Appropriate locations for the Planned Industrial designation shall be based on the same criteria as used for designating new Industrial areas. The Planned Industrial designation shall be more appropriate than Industrial in locations with limited or no sanitary sewer capacity or in other locations where restricting the permitted uses is desirable. Based on these criteria, the following two areas have been designated Planned Industrial.

- a. 282 acres on the east side of Highway 99 between the Hammett Road and Pelandale Avenue interchanges, and
- b. 183.31 acres on the south side of Kiernan Avenue, west of McHenry Avenue."

Planned Development (as defined in the Stanislaus County General Plan as of January 1, 1995)

"Intent. The Planned Development designation is intended for land which, because of demonstrably unique characteristics, may be suitable for a variety of uses without detrimental effects on other property.

Zoning. Land within a Planned Development designation should be zoned A-2 (Exclusive Agriculture) until development occurs through Planned Development zoning. A PD (Planned Development) zone (which, with the A-2 zone, are the only zoning districts consistent with this designation) is applied through application and submission of specific development plans. Building intensity and population density would be determined by the County on an individual basis, depending upon the nature and location of the proposed planned development.

Appropriate Locations. The Zoning Ordinance indicates that all applications for planned development should be consistent with the General Plan. The following are considered to be valid uses of the planned development designation consistent with the intent of this element.

- a. Application for uses of unique character (not otherwise allowed as proposed in other zoning districts) for which findings can be made as to the appropriateness of the location and the absence of detrimental effect to the surrounding area.
- b. Applications falling within an area designated by this element as a Planned Development area, subject to those resolutions within the appendix of this element that define special policy for planned development uses in the following area:
 - (1)...(see Salida Community Plan for text)
 - (2)...
 - (3)..."

Highway Commercial Planned Development (as defined in the Stanislaus County General Plan as of January 1, 1995)

"Intent. This designation is intended for land located at freeway interchanges where it is necessary to provide services to highway travelers.

Zoning. Land within this designation shall be zoned for Exclusive Agriculture (A-2) until rezoned to Planned Development (PD). Population density and building intensity will be determined on a case-by-case basis.

Uses within this designation shall be limited to the following as principal uses:

Truck Stops
Restaurants
Motels
Service Stations
Overnight R.V. Camping
Fruit Stands

The following uses may be permitted, but only when accessory to use uses listed above:

Towing Service
Minor Emergency Automobile Repair
Convenience Market
Wine Tasting

Appropriate Locations. The Highway Commercial Planned Development designation is appropriate only for parcels adjacent to a freeway interchanges. No property shall be designated Highway Commercial Planned Development and rezoned PD unless findings are made that the change will not be detrimental to the agricultural value of the surrounding property and that the subject property is of diminished agricultural importance."

b. Distribution of Land Uses Within the CPD:

The distribution of the above land uses in this Comprehensive Planning District shall be as presented in the Stanislaus County General Plan for the Salida Community Plan as of January 1, 1995, as shown in Figure III.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

(1) Overall Land Use Policies (Section III-C(1))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

None.

c. Housing Policy Implementation:

Any County Housing Policies applicable to the Salida Community Plan, prior to the adoption of the Comprehensive Plan, shall be incorporated into the Comprehensive Plan.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District is currently served by the Salida Sanitary Sewer District.

6. Focused

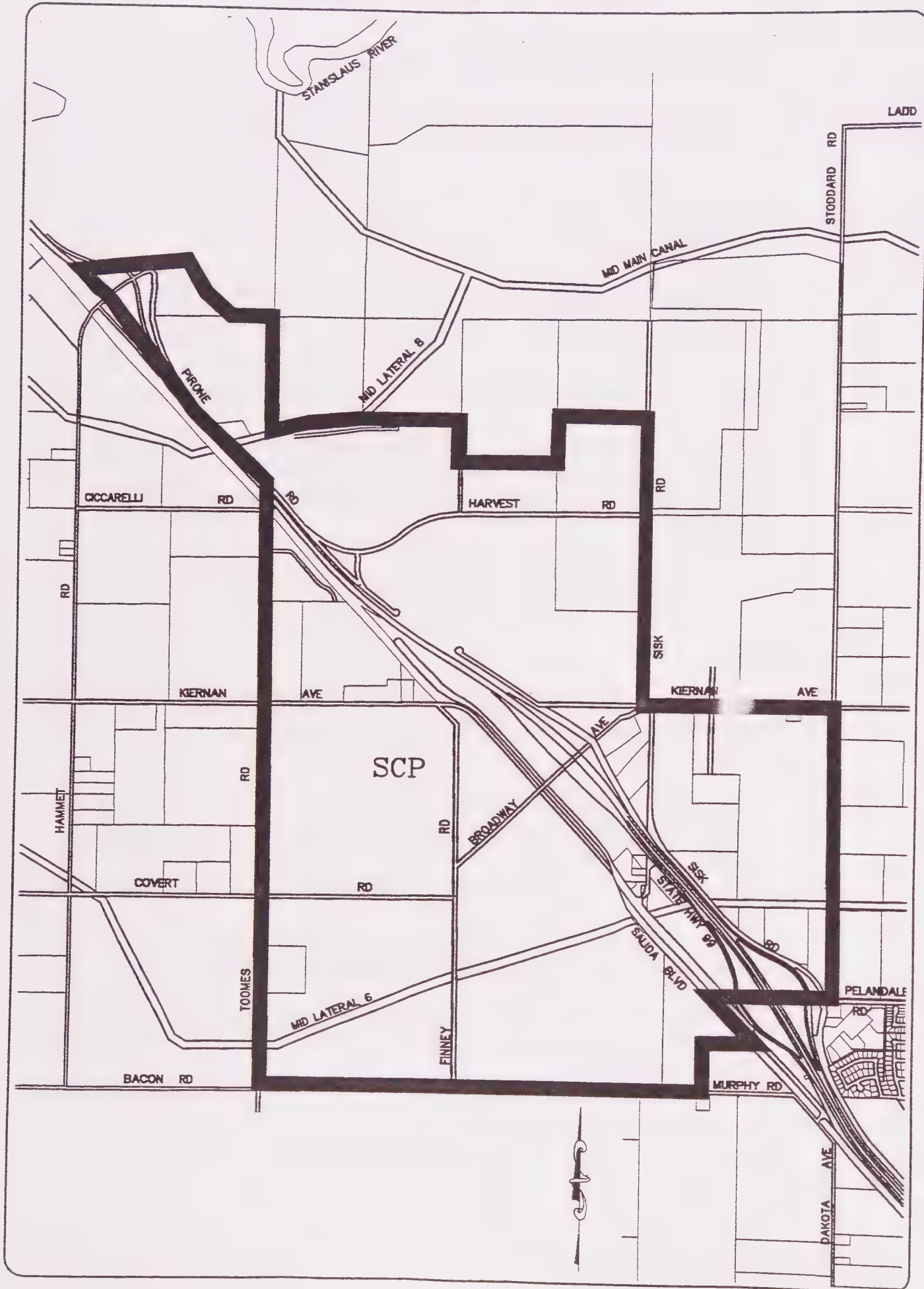
The Focus Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. The County's traffic model, which assumed buildout of the Salida Community Plan at 2015, was used as the basis for traffic modeling for this Comprehensive Planning District in the Master EIR. Because Salida is expected to build out by the year 2015, this assumption is also valid for the 2025 buildout of the General Plan.

7. Special Considerations Unique to this Comprehensive Planning District:

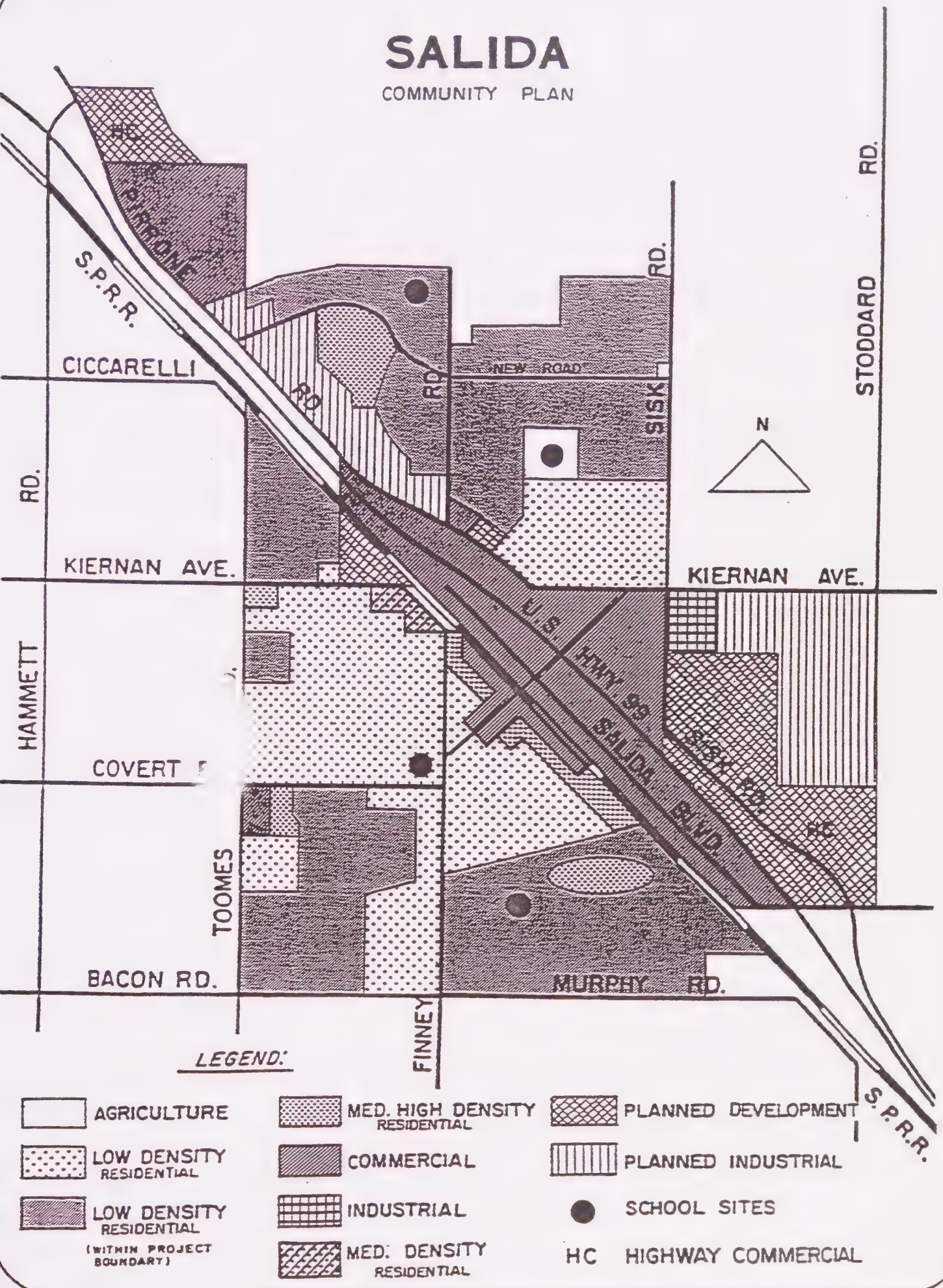
The Salida Community Plan provides sufficient guidance for future land use. A Mello-Ross Community Facilities District was adopted in 1988, covering much of the property in the Salida Community Plan.

SALIDA C.P.D.



SALIDA

COMMUNITY PLAN



STANISLAUS RIVER

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 810-acre Comprehensive Planning District is intended to provide for a regional park along the Stanislaus River.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 810 acres designated "Open Space"

b. Distribution of Land Uses Within the CPD:

Not applicable, as there is only one land use proposed.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

(1) Overall Land Use Policies (Section III-C(1))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

(1) This Comprehensive Planning District anticipates a public park. Prior to acquiring parcels, interim residential uses may be allowed, as provided by the Open Space Land Use Designation presented in Section III-B.

c. Housing Policy Implementation:

Because this Comprehensive Planning District does not propose any residential uses, the Housing Policies presented in Chapter IV do not apply to this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served with sanitary sewer from the adjacent Stoddard Comprehensive Planning District.

6. Focused EIR:

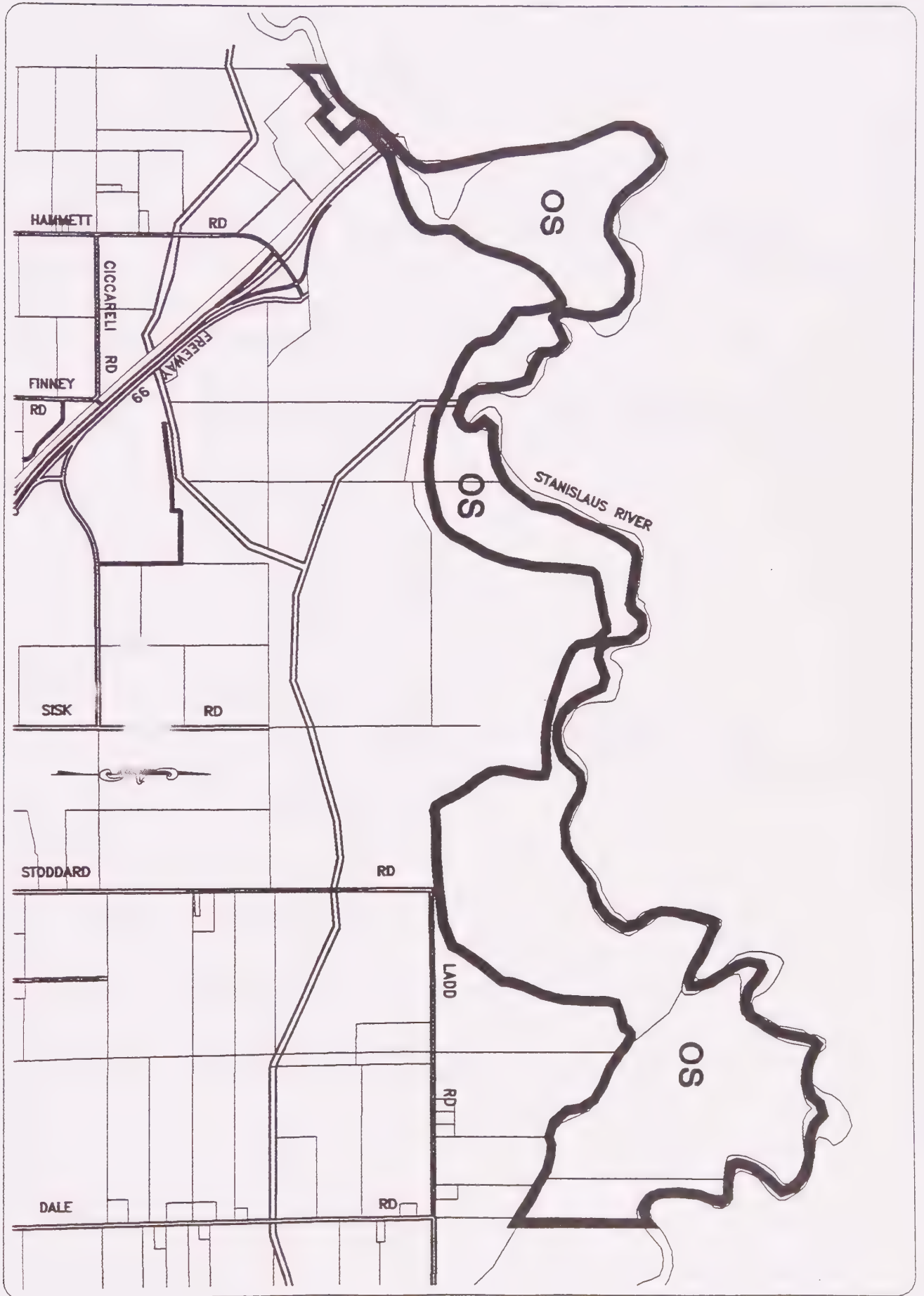
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 80 dwelling units was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

- a. The exact boundaries of this Comprehensive Planning District will be determined by the Comprehensive Plan.
- b. The preparation of a Park Master Plan for the regional park shall suffice as the Comprehensive Plan for this Comprehensive Planning District.

STANISLAUS RIVER C.P.D.



STODDARD

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 1,200-acre Comprehensive Planning District proposes a mixed-use pedestrian-oriented "Village" south of the Stanislaus River park, and a business park along Stoddard Road.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 820 acres designated "Village Residential"
- 380 acres designated "Business Park"

b. Distribution of Land Uses Within the CPD:

The support Commercial uses in the Village Residential portion of this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 2,700 dwelling units.
- (2) Adequate buffering should be provided between the proposed Business Park and the proposed Village Residential uses.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District can be served by a westerly extension of the North Sanitary Sewer Trunk. However, downstream capacity in the system cannot accommodate the Highway 99 Comprehensive Planning District and Stoddard Comprehensive Planning District and the planned easterly extension to serve the City's north end. At some point, the westerly leg of the North Trunk will have to be served by the West No. 2 Trunk and a force main and trunk to the primary treatment plant.

6. Focused EIR:

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

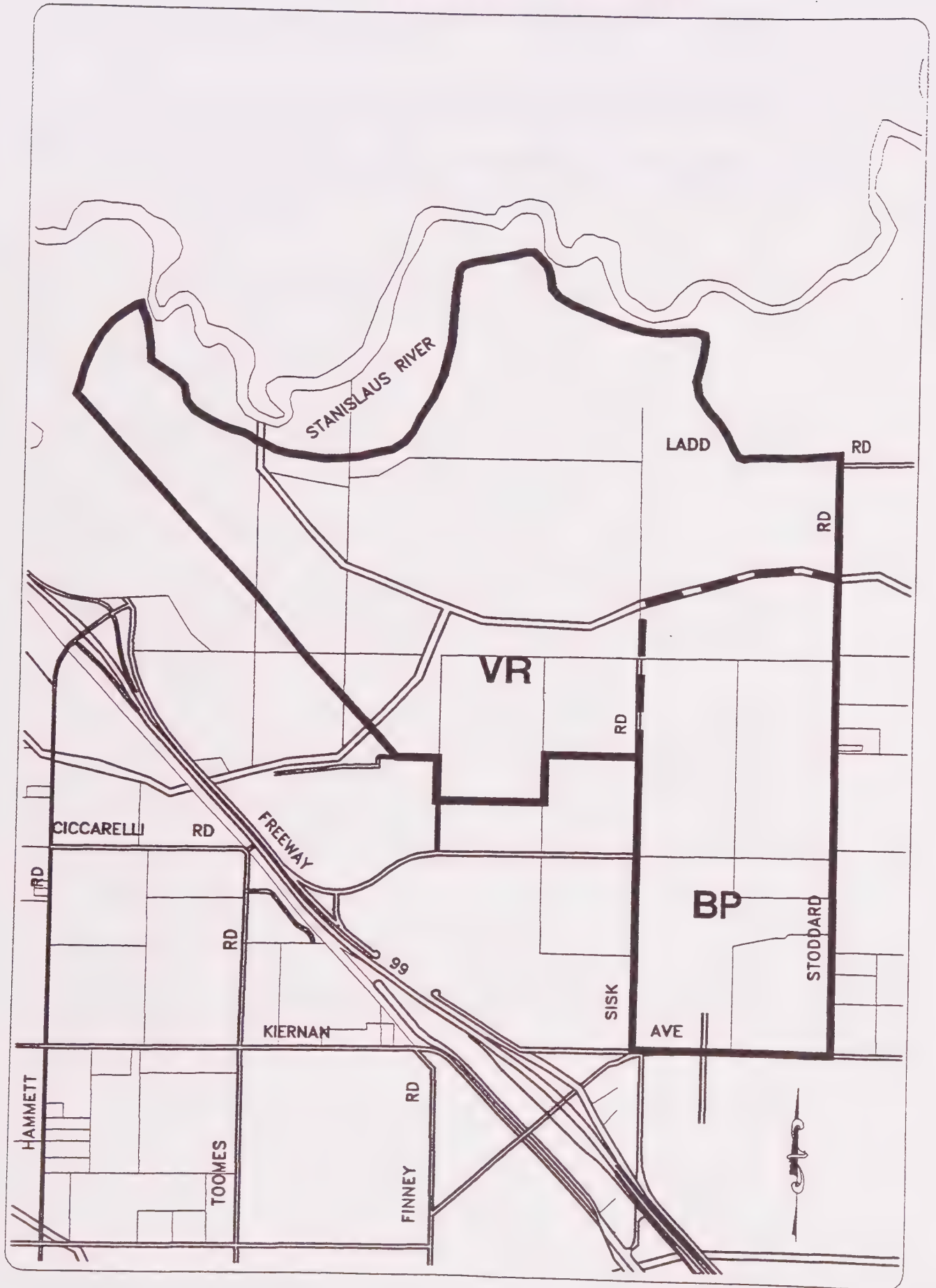
- a. A total of 2,700 dwelling units was assumed for this Comprehensive Planning District.

- b. A total of 13,700 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The exact boundaries of this Comprehensive Planning District will be determined by the Comprehensive Plan.

STODDARD C.P.D.



STODDARD/DALE

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 1,180-acre Comprehensive Planning District proposes a mixed-use pedestrian-oriented "Village" south of the Stanislaus River park, and a business park along Kiernan Avenue.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 860 acres designated "Village Residential"
- 320 acres designated "Business Park"

b. Distribution of Land Uses Within the CPD:

"Support Commercial uses in the Village Residential portion of this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 3,300 dwelling units.
- (2) Adequate buffering should be provided between the proposed Business Park and the proposed Village Residential uses.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District can be served by a westerly extension of the North Sanitary Sewer Trunk. However, downstream capacity in the system cannot accommodate the Highway 99 Comprehensive Planning District and Stoddard Comprehensive Planning District and the planned easterly extension to serve the City's north end. At some point, the westerly leg of the North Trunk will have to be served by the West No. 2 Trunk and a force main and trunk to the primary treatment plant.

6. Focused EIR:

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

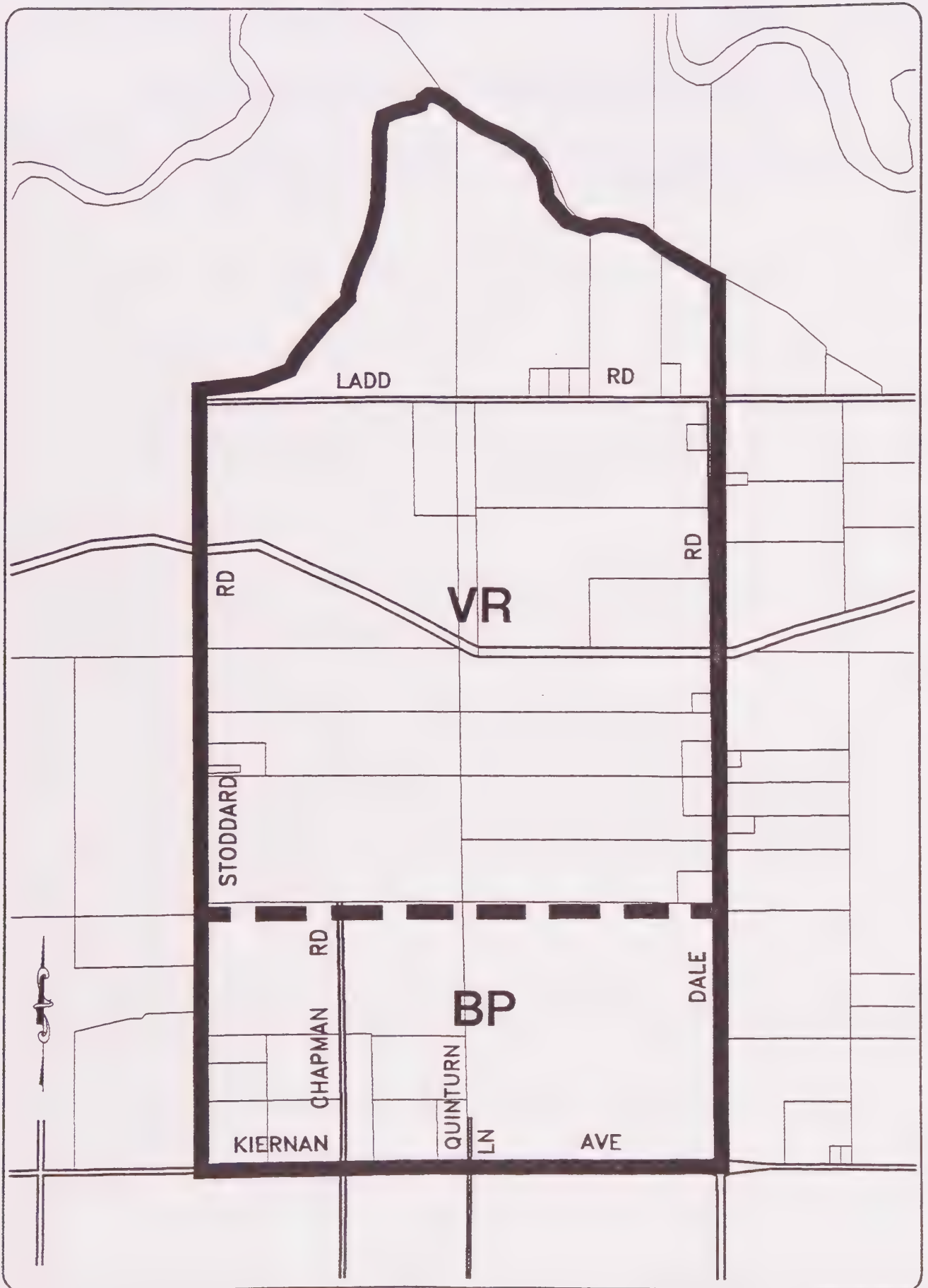
- a. A total of 3,300 dwelling units was assumed for this Comprehensive Planning District.

- b. A total of 11,700 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

- a. The exact boundaries of this Comprehensive Planning District will be determined by the Comprehensive Plan.

STODDARD/DALE C.P.D.



TUOLUMNE RIVER

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 1,380-acre Comprehensive Planning District contains a significant amount of public land, owned by a joint powers agreement between the cities of Modesto, Ceres, and Stanislaus County. A linear park is anticipated in this Comprehensive Planning District.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 1,380 acres designated "Open Space"

b. Distribution of Land Uses Within the CPD:

N/A - Not applicable, as there is only one land use proposed.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

(1) Overall Land Use Policies (Section III-C(1))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) This Comprehensive Planning District anticipates a public park. Prior to acquiring parcels, interim residential uses may be allowed, as provided by the Open Space Land Use Designation presented in Section III-B.

c. Housing Policy Implementation:

Because this Comprehensive Planning District does not propose any residential uses, the Housing Policies presented in Chapter IV do not apply to this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will take its sanitary sewer service from adjacent Comprehensive Planning Districts.

6. Focused EIR:

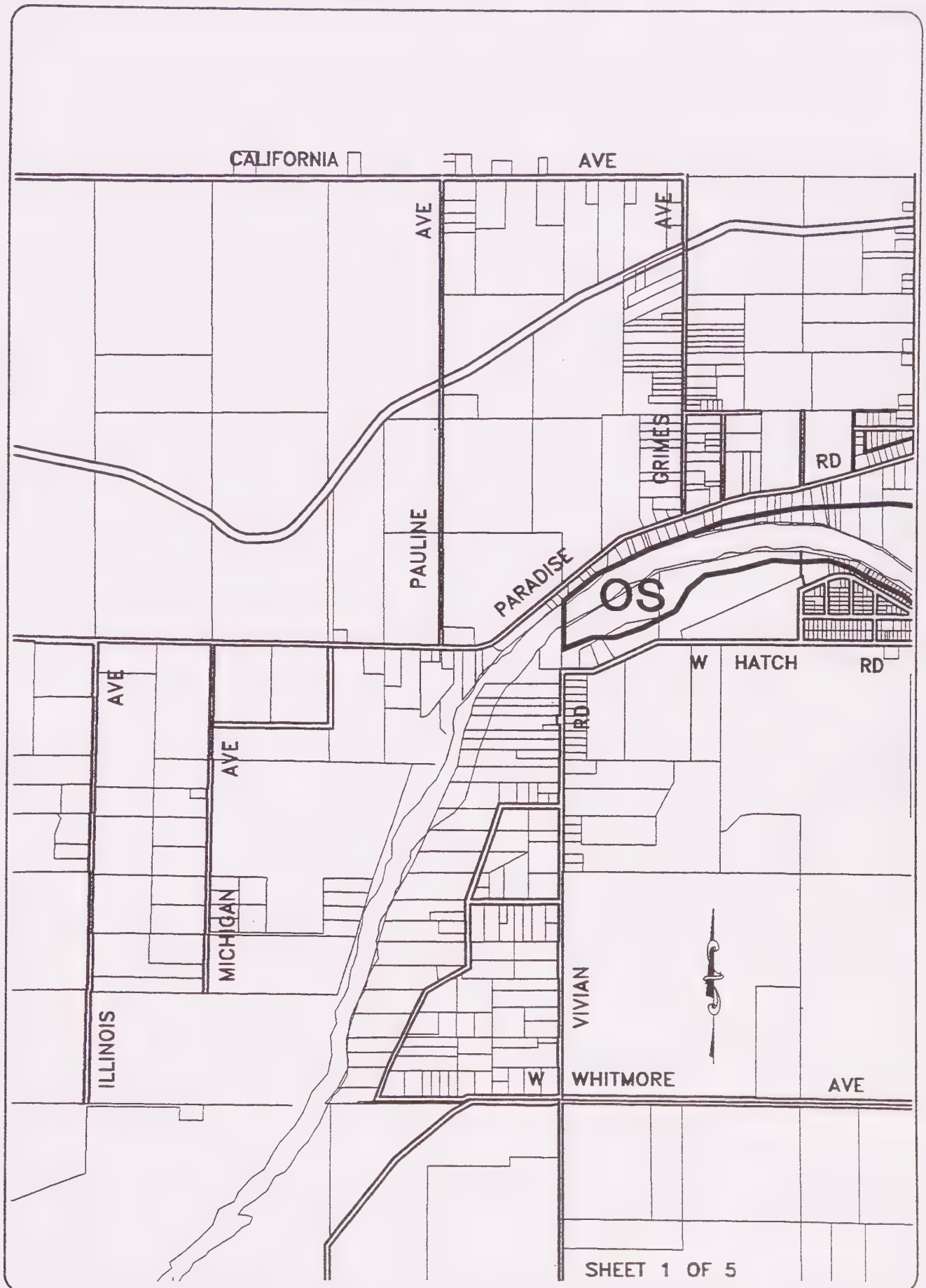
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 130 dwelling units was assumed for this Comprehensive Planning District.

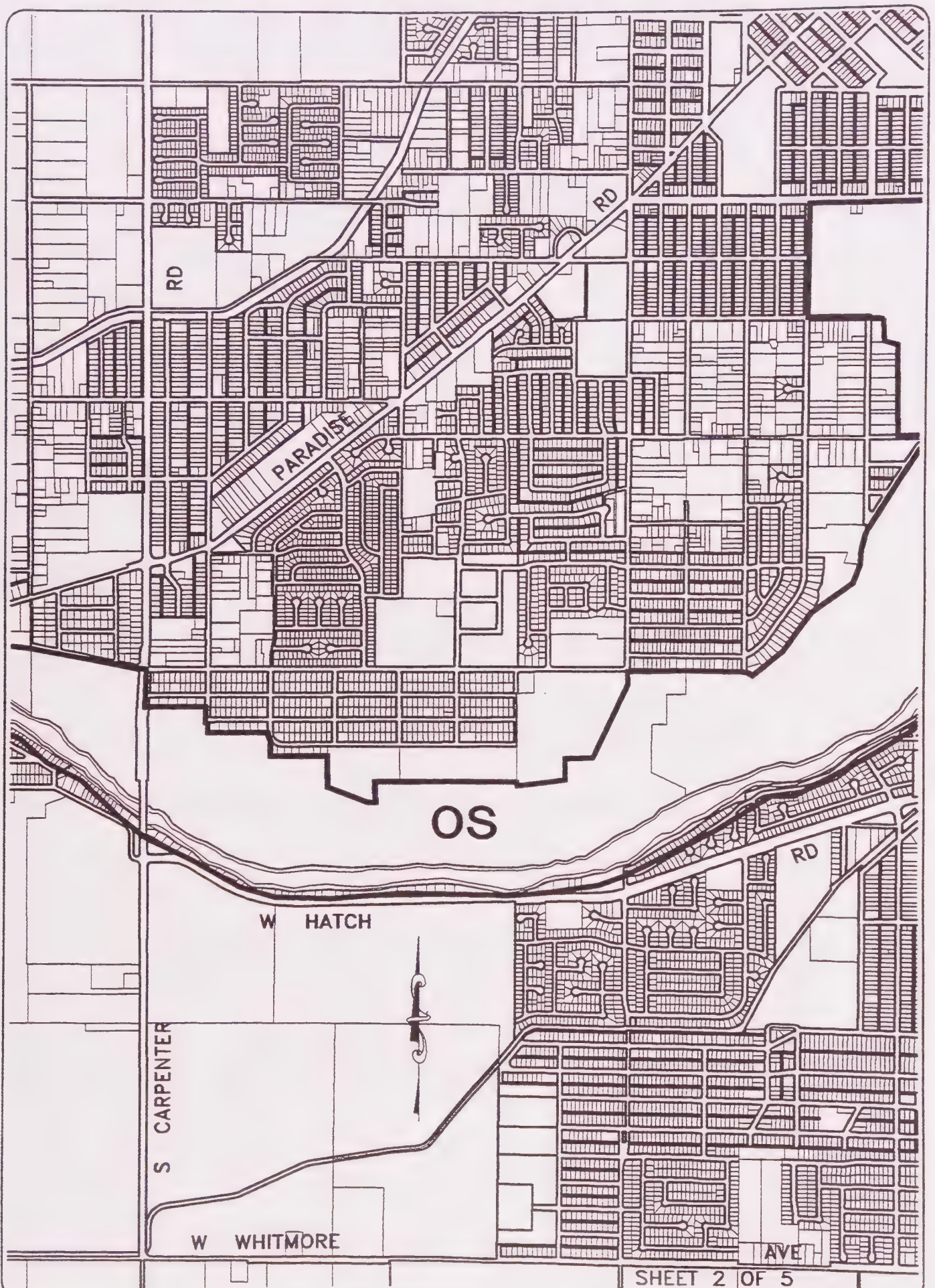
7. Special Considerations Unique to this Comprehensive Planning District:

- a. The exact boundaries of this Comprehensive Planning District will be determined by the Comprehensive Plan.
- b. The preparation of a Park Master Plan for the regional park shall suffice as the Comprehensive Plan for this Comprehensive Planning District.

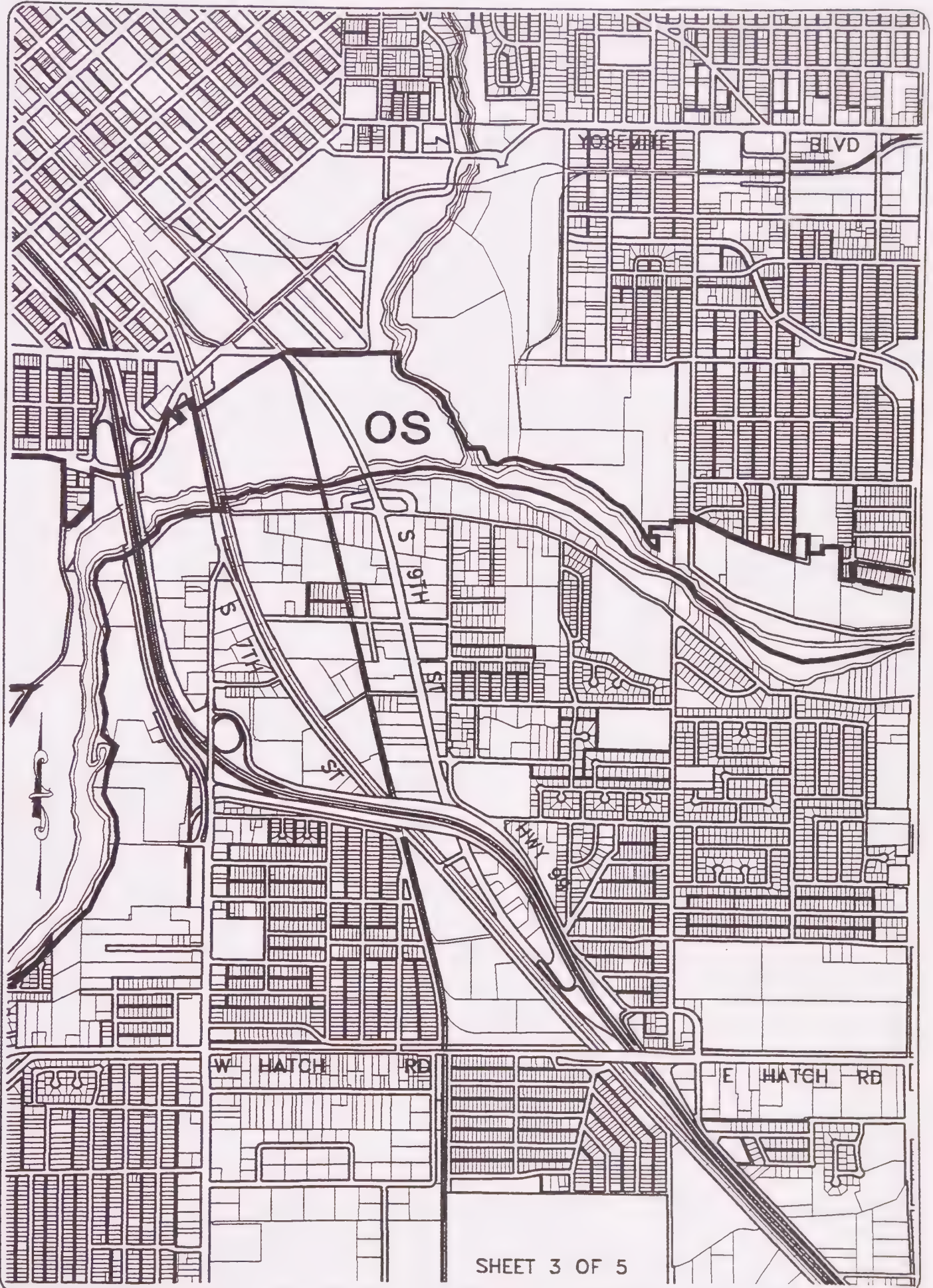
TUOLUMNE RIVER C.P.D.



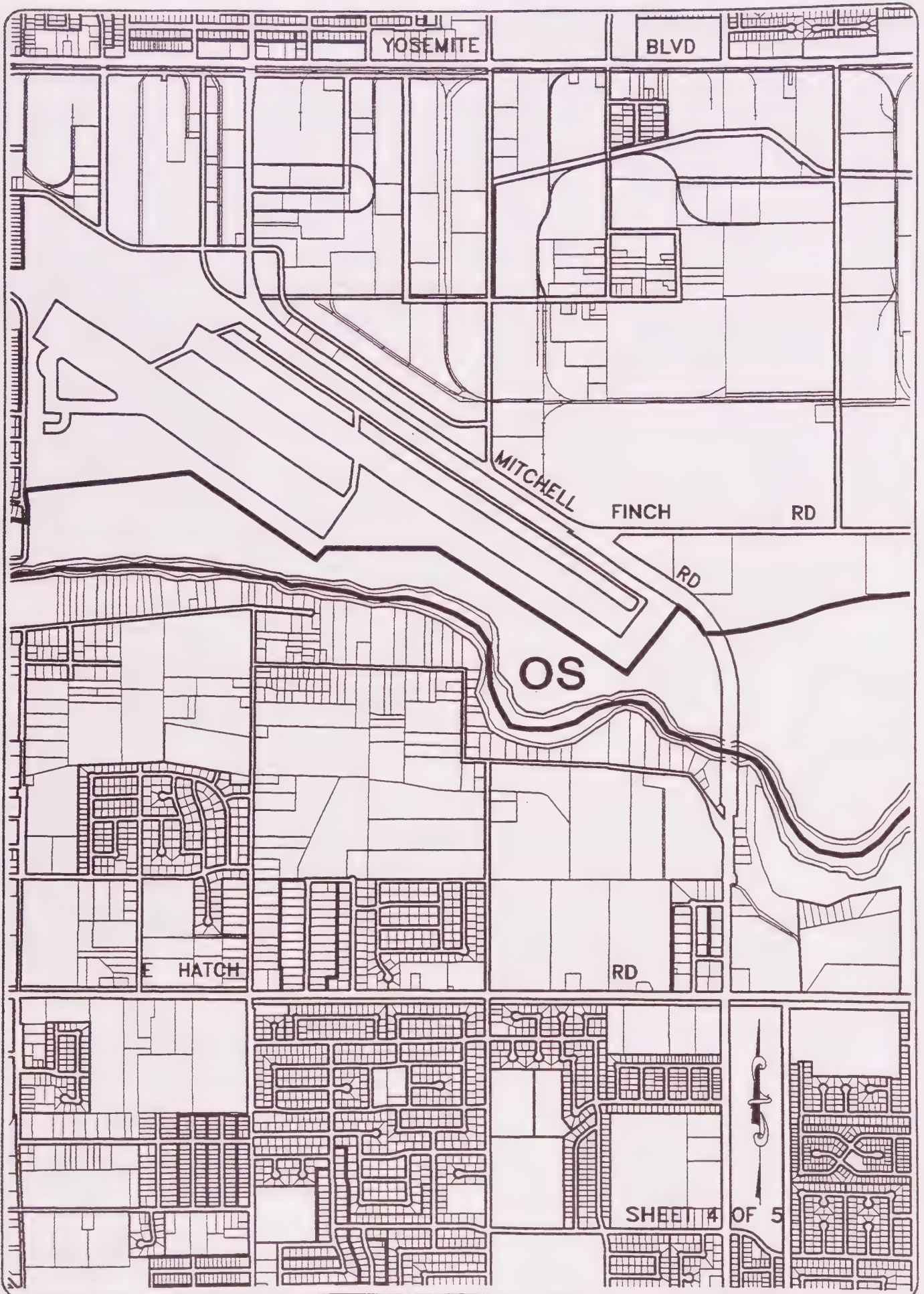
TUOLUMNE RIVER C.P.D.



TUOLUMNE RIVER C.P.D.



TUOLUMNE RIVER C.P.D.



TUOLUMNE RIVER C.P.D.



VILLAGE ONE

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 1,840-acre Comprehensive Planning District is intended to reflect the Village One Specific Plan, as adopted by the City Council in 1990, and amended several times since then. The proposed residential neighborhoods are centered around public uses such as parks and schools.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 1,620 acres designated "Village Residential"
- 220 acres designated "Business Park"

b. Distribution of Land Uses Within the CPD:

- (1) The Village Center should be located at the intersection of Roselle Avenue and Floyd Avenue to facilitate pedestrian access from the residential areas of the Comprehensive Planning District.
- (2) The Business Park should be sited east of Claus Road to take advantage of the proposed Claus Road expressway and the proposed Amtrak Station on the Santa Fe Railroad.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))

(2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 8,000 dwelling units.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. The Roselle and Lakewood Sanitary Sewer Trunks have been extended to serve this area.

6. Focused EIR:

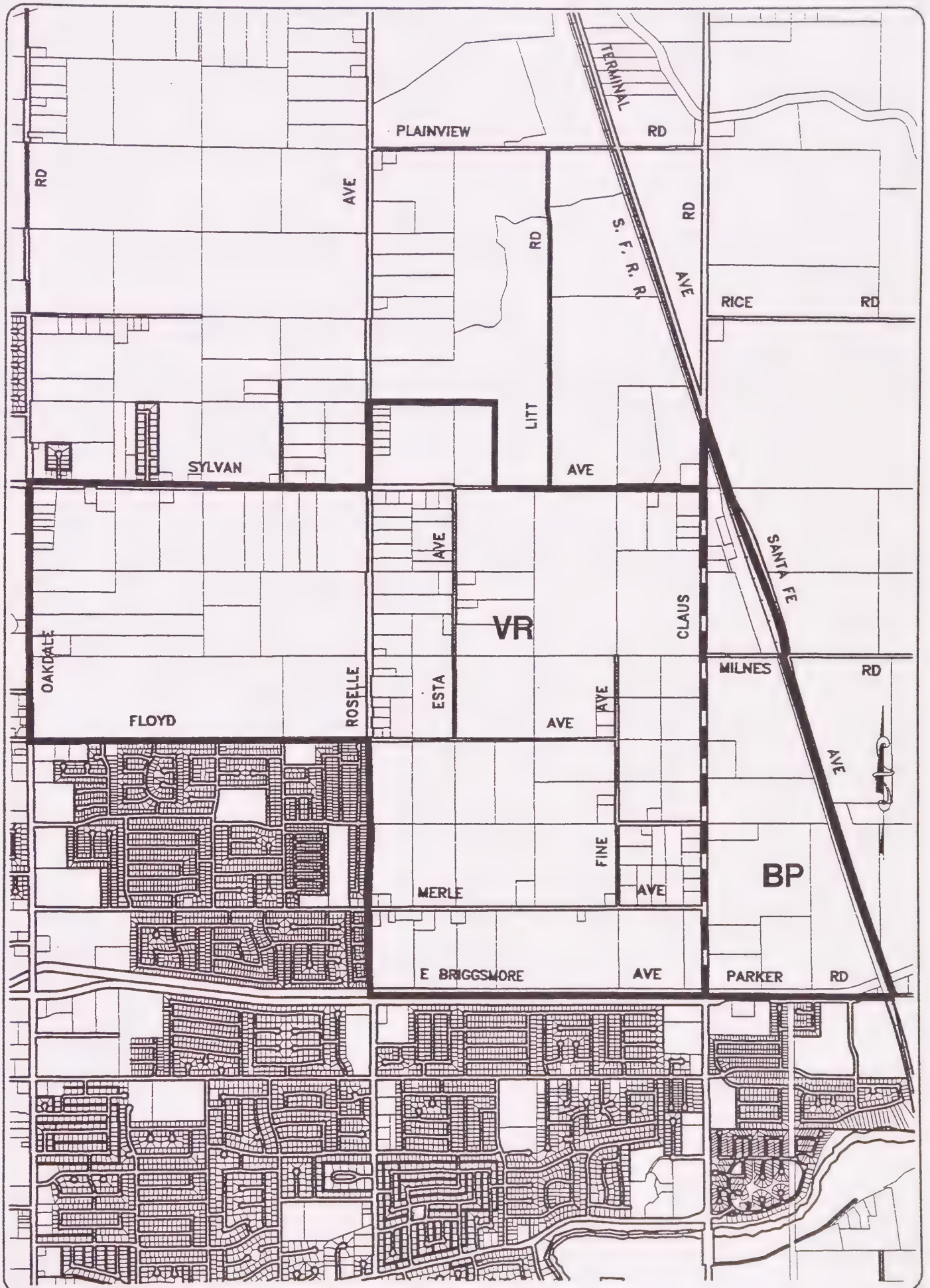
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 8,000 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 9,000 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The Village One Specific Plan, as adopted in 1990 and amended from time to time, shall suffice as the Comprehensive Plan for this Comprehensive Planning District.

VILLAGE ONE C.P.D.



WHITMORE/CARPENTER

COMPREHENSIVE PLANNING DISTRICT

1. Overview

This 690-acre Comprehensive Planning District located south of the Tuolumne River proposes predominantly "Village Residential" uses.

2. Principal Comprehensive Planning District Policies

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District Policies presented in this Chapter.

3. Land Use Description

a. Land Use Types: (See Section III-B)

- 690 acres designated "Village Residential", of which approximately 120 acres is a landfill site.

b. Distribution of Land Uses Within the CPD:

Support commercial uses in this Comprehensive Planning District should be located to facilitate pedestrian access from the residential areas.

4. Land Use Policies

a. Implementation of Adopted Land Use Policies:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the Land Use Policies presented earlier in this Chapter, as follows:

- (1) Overall Land Use Policies (Section III-C(1))
- (2) Neotraditional Planning Principles (Section III-C(3))

b. Supplemental Land Use Policies:

In addition, the Comprehensive Plan shall also address the following land use policies which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 3,500 dwelling units.
- (2) The landfill located in this Comprehensive Planning District presents a significant design constraint. This constraint should be addressed in the Comprehensive Plan.

c. Housing Policy Implementation:

The Comprehensive Plan which implements this Comprehensive Planning District shall address the relevant Housing Policies presented in Chapter IV for the residentially-designated portion of this Comprehensive Planning District.

5. Provision of Public Facilities and Services:

The Comprehensive Plan to implement this Comprehensive Planning District shall address the public facilities and services policies presented in Chapter V. In addition, the Comprehensive Plan shall also address the following policies which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by a new South No. 2 Sanitary Sewer Trunk over Tuolumne River to the primary treatment plant at the foot of Sutter Street.

6. Focused EIR:

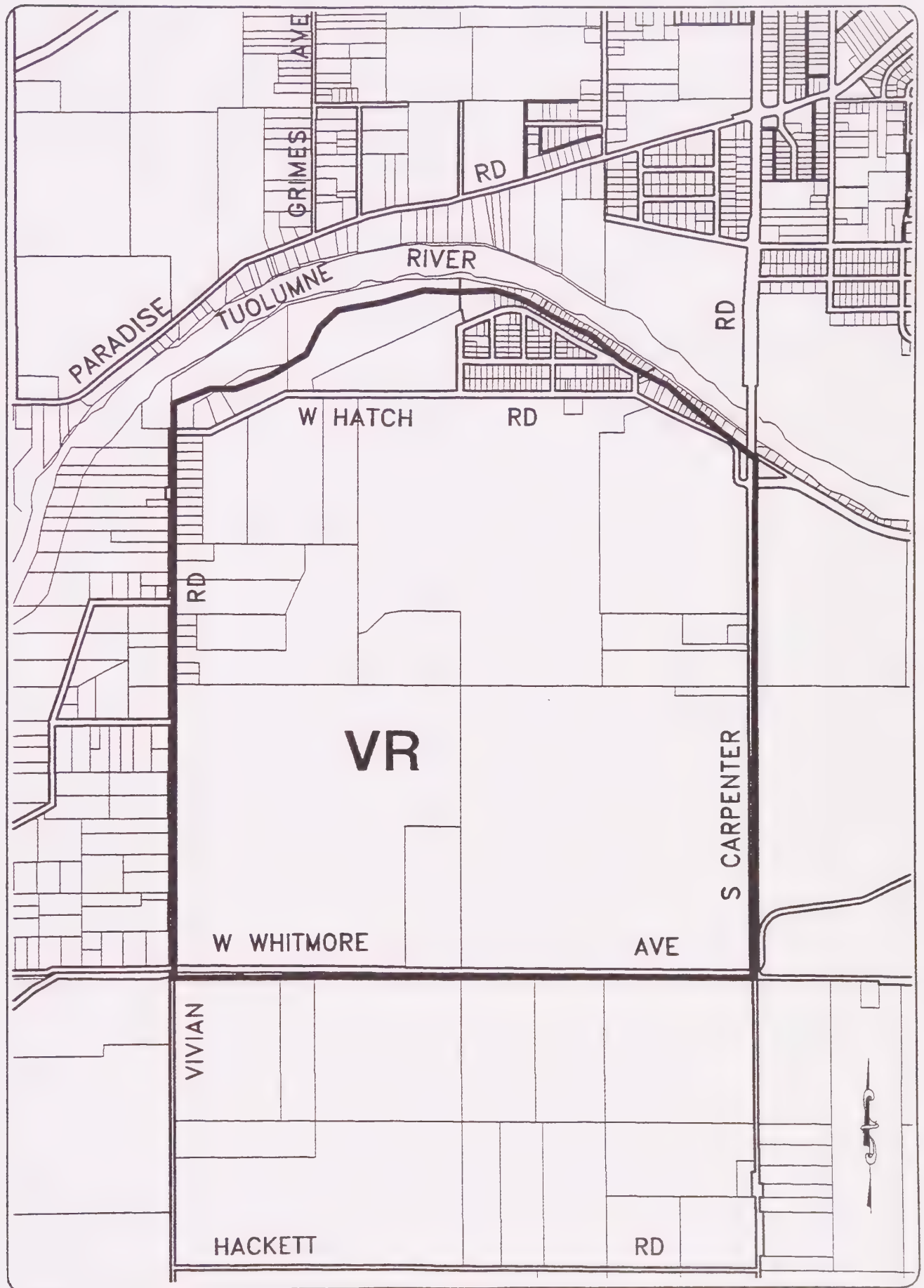
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 3,500 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 500 employees was assumed for this Comprehensive Planning District.

7. Special Considerations Unique to this Comprehensive Planning District:

The exact boundary between this Comprehensive Planning District and the Tuolumne River Comprehensive Planning District shall be determined by the Comprehensive Plan.

WHITMORE/CARPENTER C.P.D.





CITY OF MODESTO GENERAL PLAN PROGRAM

FIGURE III-1
ADOPTED
LAND USE DIAGRAM

LEGEND

ADOPTED GENERAL PLAN LAND USE DESIGNATIONS

R	Residential
MU	Mixed Use
C	Commercial
I	Industrial
RPD	Redevelopment Planning District
VR	Village Residential
RC	Regional Commercial
BP	Business Park
OS	Open Space
SCP	Land Use Designations of the Salinas Community Plan

BOUNDARIES

---	BOUNDARY BETWEEN GENERAL PLAN DESIGNATIONS
---	GENERAL PLAN BOUNDARY

COMPREHENSIVE PLANNING DISTRICTS

C.P.D.	COMPREHENSIVE PLANNING DISTRICT BOUNDARY (see Section III-E)
--------	---

TRANSPORTATION

---	Streets
---	Freeway
---	Railroads
---	Rivers
---	Adjacent Community Boundary



LAND USE DESIGNATIONS IN THE REDEVELOPMENT AREA

Figure III - 2

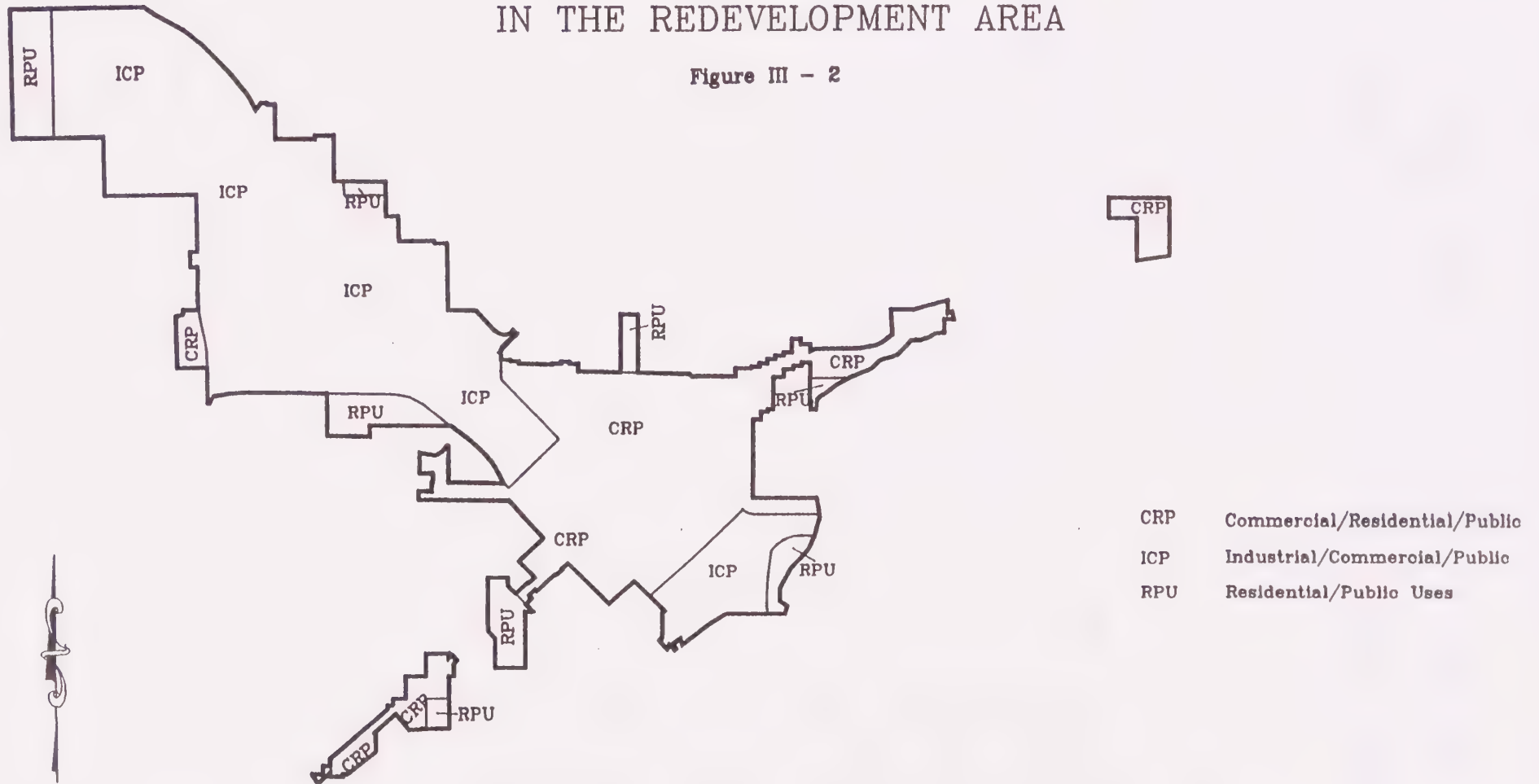
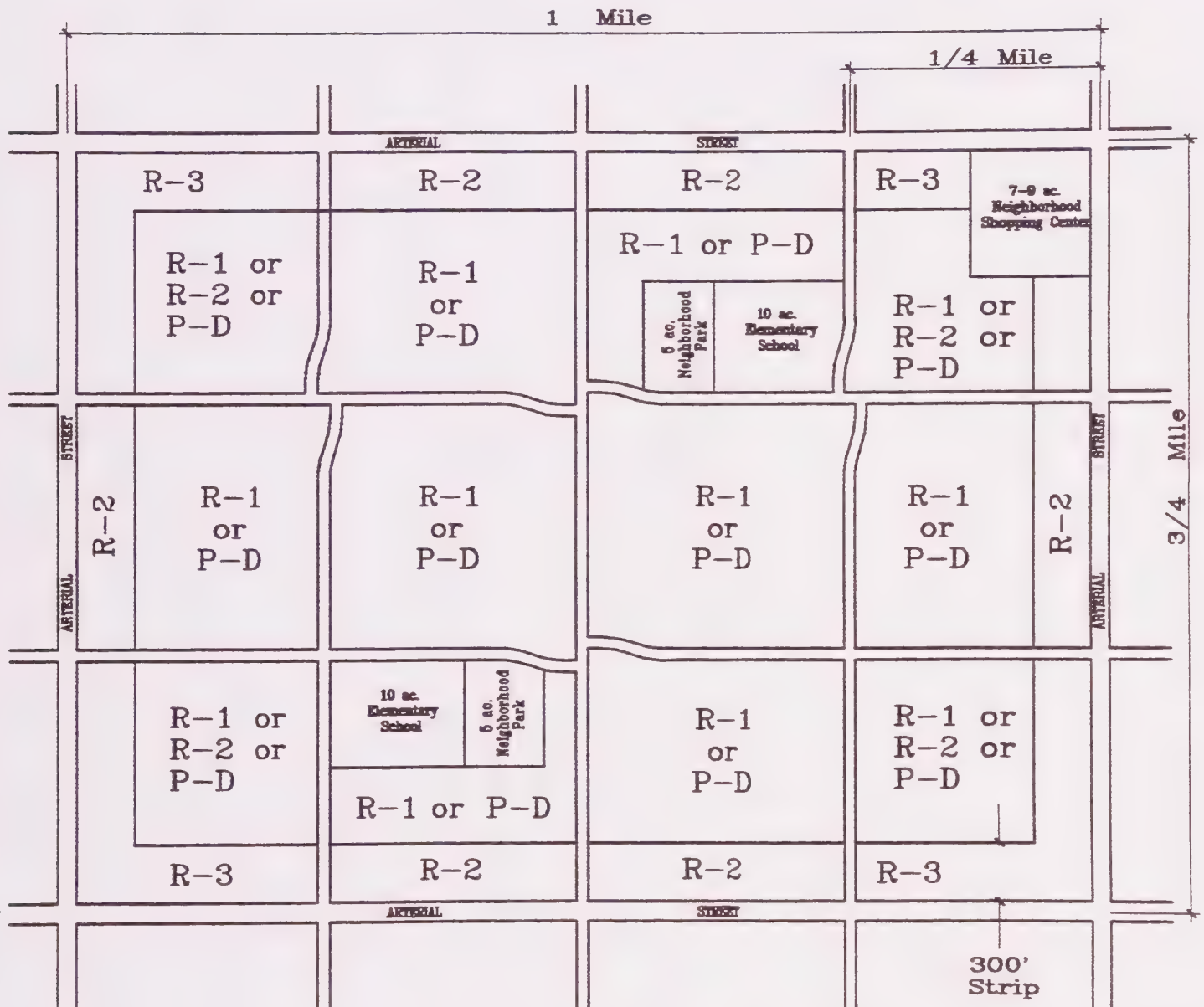


Figure III-3

NEIGHBORHOOD PLAN PROTOTYPE



**60' collector street grid, offset inside neighborhood
to prohibit thru traffic**

CHAPTER IV

HOUSING

IV. HOUSING

- Letter from State Department of Housing and Community Development
Dated April 7, 1995
- A. Introduction IV-1
- B. Summary of Housing Needs, Constraints, & Opportunities IV-4
- C. Summary of Housing Needs IV-4
- D. Summary of Housing Constraints IV-15
- E. Summary of Housing Opportunities IV-20
- F. Housing Policies IV-25

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

1800 THIRD STREET, Room 430
P.O. BOX 952053
SACRAMENTO, CA 94252-2053
(916) 323-3176 FAX (916) 327-2843



April 7, 1995



Mr. Edward J. Tewes
City Manager
City of Modesto
801 Eleventh Street
P.O. Box 642
Modesto, California 95353

Dear Mr. Tewes:

Re: Review of the City of Modesto's Draft Housing Element

Thank you for submitting Modesto's draft housing element, received for our review on February 23, 1995. As you know, we are required to review draft housing elements and report our findings to the locality pursuant to Government Code 65585(b).

As you are aware, in our September 29, 1992 review letter, we found the City's adopted element in compliance with State housing element law. The pending draft element is being incorporated, as adopted in 1992, into a comprehensive update of the City's general plan. As this has revised the format, but retained the content, of the current housing element, the City's draft element will continue to comply with State housing element law (Article 10.6 of the Government Code) upon adoption.

The proposed omission of the review of the prior (1984) element, which was completed and adopted pursuant to Government Code Section 65588, is acceptable for the purposes of the current amendment. However, the City should note that this review (of the current element) must again be included in the housing element when it is amended pursuant to the next statutory update (June 30, 1999).


We wish you well in completing the City's general plan update, and look forward to receiving a copy of the City's annual general plan status report pursuant to Government Code Sections 65400. If we can assist your efforts, please contact Linda Wheaton, of my staff, at (916) 327-2642.

Mr. Edward J. Tewes
Page 2



In accordance with requests pursuant to the Public Records Act, we are forwarding a copy of this letter to the individuals listed below.

Sincerely,


Juan M. Acosta
Acting Deputy Director

cc: Philip A. Testa, Community Development Director
Brian Smith, Principal Planner
Ricardo Cordova, California Rural Legal Assistance
Joanne Nugent, Self-Help Enterprises
Miguel Donoso, Hispanic Task Force
Greg Steele, Stanislaus Area Association of Governments
Kathleen Mikkelson, Deputy Attorney General
Bob Cervantes, Governor's Office of Planning and Research
Dwight Hanson, California Building Industry Association
Kerry Harrington Morrison, CA Association of Realtors
Marc Brown, California Rural Legal Assistance Foundation
Rob Wiener, California Coalition for Rural Housing
Susan DeSantis, The Planning Center
Dara Schur, Western Center on Law and Poverty

CHAPTER IV

HOUSING

Chapter IV, Housing, adds "affordable housing" policy requirements to the physical community developed through Chapter III.

This Chapter on Housing consists of certain segments of the City of Modesto, 1992 Housing Element approved by the California Department of Housing and Community Development. No changes to the contents of the Housing Element have occurred or are being proposed. The portions of the Housing Element that are included have only been reformatted to conform with the structure of the updated General Plan. On April 7, 1995, the Department of Housing and Community Development stated that "as this has revised the format, but retained the content, of the current housing element, the City's draft element will continue to comply with state housing element law (Article 10.6 of the Government Code.)"

A. INTRODUCTION

The Housing Element is intended to guide residential development and preservation in a way that supports the overall economic and social values of the community. The residential character of a city is largely dependent on the type and quality of its residential neighborhoods and the dwelling units within them. This Chapter on Housing is an official response to a continuing awareness of the need to provide housing for all economic segments of the community. It is also a legal requirement that housing policy be made part of the planning process. As such, this Chapter on Housing includes housing goals, policies, that will assist City officials in daily decision-making. Implementation of housing policies will enable the City to realize its housing goals. The time frame for the approved 1992 Housing Element was from 1992 to 1997. California Government Code Section 65588 (e) (4) and 65588.1, effective in 1993, extends the time frame of the housing element. As of June 1995, the time frame was extended to June 30, 1999. This time frame may be changed by subsequent legislation.

1. State Policy and Authorization

The California State Legislature has declared the availability of housing and the early attainment of decent housing and a suitable living environment for every Californian family as the State's major housing goal. Recognizing that local planning programs play a significant role in the pursuit of this goal, and to assure that local planning effectively implements statewide housing policy, the Legislature has mandated that all cities and counties include a Housing Element in their adopted local general plans (Government Code Section 65302). Article 10.6 of the Government Code (Section 65580-65589.8) sets forth specific components to be contained in a community's Housing Element. (This section of the Government Code is cited in the 1992 Housing Element Technical Appendix attached as Appendix A.)

2. Organization of this Chapter

The Housing Element guidelines require the inclusion of three basic components:

- a. An evaluation of community resources and constraints and the analysis of housing needs, indicating the capacity of existing housing supply to provide all economic segments of the community with safe and decent housing.
- b. A housing program consisting of two parts: (a) establishing local housing objectives, policies and priorities aimed at alleviating unmet needs and (b) ways to remedy the housing problems identified.
- c. A five-year course of action which includes a specific description of what the locality intends to undertake to meet the goals, policies, and priorities.

Another component of this Chapter on Housing is the 1992 Housing Element Technical Appendix attached as Appendix A. This accompanying document provides a compilation of the most recent available data of the population, socioeconomic and housing characteristics of the City of Modesto. The information provided in Appendix A helps to define the City's current and projected housing needs, and provides valuable demographic information which can be utilized by City staff, decision-makers, and the public in many other aspects of planning.

3. Relationship of the Housing Element to Other General Plan Elements

The General Plan is a long-range planning document and includes (in addition to this Chapter) other components that address: land use, circulation, conservation, noise, open space, and safety. Each of these components must be internally consistent within the General Plan. The Housing Element is the only General Plan element that is mandated by State law to be reviewed and updated every five years by a State agency. The Department of Housing and Community Development (HCD) reviews each community's Housing Element to determine if it complies with Article 10.6 of the State Government Code.

4. Public Participation

Public Participation is an important part of the City's Housing Element update process. During the preparation of the 1992 Housing Element update, City planning staff met with individuals and organizations in the community for their input on the housing needs of residents in Modesto. This input was incorporated into a Preliminary Draft Housing Element and Technical Appendix.

Copies of the Preliminary and Draft 1992 Housing Element documents were made available to community organizations and individuals; local governmental officials; and

the public library. Notices of the 1992 Housing Element update and environmental review were prepared and posted at various locations throughout the community.

Comments received on the Preliminary Draft Housing Element were collected, reviewed, and incorporated into a Draft Housing Element. The following represents the 1992 Housing Element timeline:

1992 Housing Element Timeline

- | | |
|-------------------|---|
| February 10, 1992 | Mailed the Preliminary Draft to the Department of Housing and Community Development (HCD) for their 45-day review. This review ended on March 26, 1992. |
| February 12, 1992 | Administrative Review of the Preliminary Draft held in the City Council Chambers. This Meeting was open to the public. |
| February 26, 1992 | Environmental Assessment Committee reviewed the Preliminary Draft and issued a Draft Negative Declaration, in accordance to the California Environmental Quality Act (CEQA). The 30-day public review period ended on April 3, 1992. |
| March 24, 1992 | A Joint City Council/Planning Commission Meeting was held to solicit input from the public on the Preliminary Draft. This meeting was televised on the local cable channel. |
| April 20, 1992 | The Planning Commission held a public hearing on the Draft Housing Element. At the conclusion of the public hearing, the Planning Commission voted to recommend to the City Council the following: approval of the amendment to the 1992 Draft Housing Element of the Modesto Urban Area General Plan; and the certification of the Negative Declaration. This meeting was televised on the local cable channel. |
| May 19, 1992 | The City Council held a public hearing for final adoption of the 1992 Housing Element of the Modesto Urban Area General Plan. At the conclusion of the public hearing, the City Council unanimously approved the 1992 Housing Element and certified the Negative Declaration as complete and in compliance with the California Environmental Quality Act (Exhibit IV-1). This meeting was televised on the local cable channel. |
| May 20, 1992 | Letter received from the State Department of Housing and Community Development (Exhibit IV-2) stating that the 1992 Housing Element of the Modesto Urban Area General Plan is in compliance with State Law. |

- February 17, 1995 The City of Modesto submitted a copy of the Draft General Plan to the Department of Housing and Community Development. The Draft General Plan incorporated a reformatted version of the 1992 Housing Element.
- April 7, 1995 The Department of Housing and Community Development stated that "the pending draft element is being incorporated, as adopted in 1992, into a comprehensive update of the City's General Plan. As this has revised the format, but retained the content, of the current element, the City's draft element will continue to comply with state housing element law (Article 10.6 of the Government Code)."

B. SUMMARY OF HOUSING NEEDS, CONSTRAINTS, & OPPORTUNITIES

As part of the 1992 Housing Element, a separate Technical Appendix was prepared as a background report to document the population, socioeconomic, and housing characteristics of the City of Modesto. The Technical Appendix helped to define the City's current and projected housing needs, and to provide direction in the development of goals, policies, and programs to address these needs in the Housing Element. This Technical Appendix is attached in its entirety as Appendix A.

This Chapter on Housing summarizes the findings of housing needs from the Technical Appendix. Additionally, certain constraints which may discourage the construction of new housing are evaluated, as well as opportunities that further the development of housing in Modesto.

C. SUMMARY OF HOUSING NEEDS

A number of factors will influence the degree of demand or "need" for new housing in Modesto in coming years. The six major "needs" categories considered in this Housing Element are listed below, with an expanded explanation following.

- Regional housing needs determinations as required by State law, which are determined by the local Council of Governments;
- Housing needs resulting from increased population growth, both in the City and the surrounding region;
- Housing needs resulting from the deterioration or demolition of existing units or from the loss of existing affordable rental stock;
- Housing needs resulting from the presence of special needs groups such as the elderly, handicapped, large families, farmworkers, female-headed households, low-income and minority households (e.g., South East Asian refugees) and the homeless.

- Housing needs that result when households are paying more than they can afford for housing.
- Preservation of at-risk housing units providing rent restrictions which fill several housing needs.

1. City of Modesto's Projected Share of the Regional Housing Needs

The Stanislaus Area Association of Governments (SAAG), as required by State law, determined in February 1991, the City's projected share of regional housing needs through 1997, for persons of all income levels. In March 1991, the Modesto City Council adopted Resolution No. 91-178, accepting SAAG's allocation of 11,688 housing units as Modesto's share of the 1990-1997 Regional Housing Needs.

SAAG has determined that the City's basic housing need is 10,677 units (projected need for new construction) and 1,011 replacement units, for a total of 11,688 housing units. Increase in housing need is the amount of housing needed by 1997 to meet projected household growth and to keep the housing market in balance. The basic replacement need is the amount of housing needed to replace units expected to be demolished or lost from the present stock. (For the breakdown of housing need by income category, please see Section 4.6 in Appendix A.)

2. Population Growth

Since 1980, the City of Modesto has grown by 55 percent, from 106,602 persons to 164,730 persons in 1990. This rapid growth has changed Modesto from a small agricultural-based community into a medium-sized metropolitan center, with more people living here and commuting to work in the Bay Area.

Another cause of the rapid growth has been the arrival of South East Asian refugees, who have become concentrated in not only Modesto and Stanislaus County, but in San Joaquin and Merced Counties as well. There are an estimated 12,384 persons of Asian background, which equates to 7.5 percent of the City's population.

Refer to Figure 3-A of the 1992 Housing Element which identifies City of Modesto Population Trends between 1940 and 1990.

The City's future growth will occur on land within the City's Urban Sphere in a series of urban villages and on vacant parcels within the City's current sewer service area.

Refer to Figure 3-B of the 1992 Housing Element that identifies population projections for the City of Modesto, County of Stanislaus and the State of California.

3. Substandard Units

Housing units 30 years of age or older may need rehabilitation. The 30-year figure is the accepted standard for defining older housing stock potentially in need of rehabilitation, roofing as but one example. In 1991, approximately 22 percent of the City's housing stock was built before 1960. A windshield survey of the City's housing stock condition was taken in 1988. This survey revealed that the majority of the City's housing stock is in good condition. However, with such a large proportion of the City's housing stock nearing 30 years of age, continued maintenance of this older housing will be essential to prevent widespread housing deterioration.

The City's 1988-1991 Housing Assistance Plan (now replaced by the Comprehensive Housing Affordability Strategy, or CHAS) identifies a total of 5,246 existing housing units which are suitable for rehabilitation. In addition, as identified in the 1992 Housing Element Technical Appendix, 250 housing units within the City of Modesto are not suitable for rehabilitation and should be replaced.

The residential units that currently exhibit structural deterioration are predominantly concentrated in City's older sections, such as the downtown, west and south areas. A portion of the west area is encompassed within the City's Housing Maintenance Program and is eligible for rehabilitation loans at below market rates. Rehabilitation improvements will continue to be encouraged in these areas. The Housing Element sets forth policies and programs to encourage the maintenance of the City's housing stock. The policies aim to:

- Encourage the maintenance of the existing stock;
- Encourage the rehabilitation of substandard and deteriorating housing;
- Promote the removal and replacement of substandard units which cannot be rehabilitated.

4. Special Needs Groups

Certain segments of the population may have a more difficult time finding decent, safe and affordable housing due to special circumstances. In Modesto, the special needs groups include lower-income and minority households, the elderly, handicapped persons, farmworkers, large families, female-headed households, and the homeless. Exhibit IV-3 illustrates the number of persons or households in these special needs groups.

- a. Elderly: The special needs of many elderly households result from their lower, fixed incomes, physical disabilities, and dependence needs. In 1990, 22,915 persons or 14 percent of the City's population was 60 years of age or older.

The 1988-1991 Housing Assistance Plan identifies 1,455 elderly households in need of rental assistance. Rising housing costs, particularly in the rental market, adversely impact housing affordability for fixed-income elderly residents. The

housing needs of the elderly can be addressed through the provision of smaller units, second units on lots with existing homes, congregate housing, mobile homes, and housing assistance programs.

- b. Handicapped (Disabled): Physical handicaps can hinder access to housing units of normal design as well as limit the ability to earn adequate income. Housing opportunities for the handicapped can be maximized through housing assistance programs, such as the City's Handicapped Barrier Removal Program. Also, single level units, ground floor units, and units which incorporate design features such as widened doorways, access ramps, and lowered counter-tops, are all ways in which housing can become more accessible to a handicapped person. This Chapter on Housing sets policies to implement State standards for the provision of handicapped accessible units in new multi-family developments, and in addition, to encourage housing which is provided for the handicapped to be located in close proximity to public transportation and services. The Fair Housing Act of 1988 requires owners/landlords of rental housing to permit reasonable modifications to be made to the unit to improve handicapped accessibility at the expense of the tenant.
- c. Female-headed Households: Female-headed households tend to have low incomes, thus limiting housing availability. In 1990, 27.5 percent or 15,987 households in Modesto were headed by females, many of which have dependent children under 18 years of age. Providing housing opportunities for female-headed households relates to both affordability and child care services. This Chapter on Housing sets forth a policy to encourage the development of child care facilities coincident with new housing development, which is also encouraged in the Village One Specific Plan, adopted October 16, 1990.
- d. Farmworkers: The special housing needs of farmworkers stem from their low wages and the seasonal nature of their employment. An estimated 244 families in Modesto, are employed in agricultural-related fields and are in need of housing. Thus, the demand for housing generated by farmworkers in the City is relatively low. Nonetheless, housing opportunities for farmworkers can be enhanced by expanding the City's affordable housing stock and by continuing to work with the Stanislaus County Housing Authority, which currently provides 91 housing units to farmworkers within the City of Modesto.
- e. Homeless: The housing needs of those seeking emergency shelter and or transitional shelter has increased dramatically in the last ten years. The fastest growing population of those in need of shelter are families with children. Factors contributing to the rise in the homeless population include the lack of affordable housing, increases in the number of persons who fall below the poverty level, reductions in public subsidy to the poor, and the de-institutionalization of the mentally ill.

According to the 1990 Census, there were approximately 248 homeless persons within the City of Modesto. Agencies providing temporary housing assistance for the City's homeless population include the Modesto's Men's and Women's Gospel Mission and the Community Temporary Shelter Service Coalition. These agencies not only provide temporary lodging, but also offer counseling services, as well as meals and/or emergency food. For further information on the numbers of homeless persons served by these agencies, please refer to the 1992 Housing Element Technical Appendix Chapter 2.0, Section 2.4: Groups With Special Housing Needs.

The City of Modesto, in cooperation with Federal Department of Housing and Urban Development (HUD) and the Community Temporary Shelter Service Coalition (CTSSC), is participating in a program to provide single-family residences for homeless families seeking permanent housing. The City of Modesto is leasing three houses from HUD for \$1.00 per year. CTSSC assists with the selection of the families. A modest rent is collected to cover the operating costs (such as taxes, utilities, and maintenance) of the houses.

5. Housing Affordability

In evaluating housing affordability, households are divided into four income categories relative to the median household income for Stanislaus County. The 1990 median income, as set by the Housing and Urban Development Department (HUD), for Stanislaus County was estimated to be \$32,500 for a family of four. The following illustrates how the four income categories are divided:

Very-Low-Income: Households who earn 50% or less of the median area income.

Low-Income: Households who earn between 50% and 80% of the area median income.

Moderate-Income: Households who earn between 80% and 120% of the area median income. (100% of the area median income for 1990 is \$32,500 for a family of four in Stanislaus County.)

Above-Moderate-Income: Households who earn above 120% of the area median income.

6. Overpayment

An important issue in housing affordability is the concern of how many households are overpaying for housing. Housing overpayment is based on an income-to-housing ratio of 30 percent and above. Households paying greater than 30 percent of their income on housing will have less income left over for other necessities, such as food, clothing and

health care. It is recognized, however, that households in the moderate and above-moderate categories are generally capable of paying a larger portion of their income on housing, and therefore estimates for housing overpayment are generally focused on lower income groups.

At this time, data on overpayment is not available from the 1990 Census. However, by interpolating data from the 1980 Census, (and information from the State Department of Housing & Community Development), the minimum number of lower income households overpaying for housing can be estimated. It is estimated that in 1991, there were a total of 11,586 lower income households (8,956 renters and 2,630 owners) overpaying for housing. [For further information on overpayment, see Appendix A, Section 4.0, pages 4-12 and 4-13.

The distinction between renter and owner housing overpayment is important because while homeowners may extend themselves financially to afford the option of home purchase, the owner always maintains the option of selling the home. Renters, on the other hand, are limited to the rental market, and are generally required to pay the rent established in that market.

7. Preservation of At-Risk Housing Units

The City of Modesto has eight low- and moderate-income rental housing projects which were provided with low-interest loans and rent subsidies through various programs administered by the Department of Housing and Urban Development (HUD) and the Federal Housing Administration (FHA). The majority of units within the projects listed are potentially at-risk of converting to market rate units. Seven of these projects are due to terminate within the 1992-1997 time frame and one project is subject to termination between 1997 and 2002.

Termination of a subsidy program will lift all rent restrictions, as well as restrictions on the incomes of the people living in the projects. Owners will be free to convert their projects to market rate rentals, or condominiums. Conversion to non-residential uses is a remote possibility. Any conversion of units could result in displacement and/or an economic hardship to many of the tenants.

As highlighted in the figure below, some of the at-risk projects are subject to different regulatory programs, such as those with non-renewal Section 8 rental assistance contracts. However, these projects may meet the provisions of new federal law which is designed to minimize conversion of the projects, for instance the El Casa Verde I and II. Other projects may be subject to advance notice provisions or have other use restrictions such as mortgage restrictions and rental assistance contracts subject to special provisions. In the event of any potential tenant displacement, the City will seek to preserve, for its low-income households, the units in assisted housing developments that are eligible to change to non-low-income uses, due to terminations of subsidy contracts, mortgage prepayment, or expiration of use restrictions.

Exhibits IV-4 and IV-5 list the five-year inventory of low-income rental projects subject to termination of Federal mortgages and/or rent subsidies. The projects are owned by individuals, partnerships, and nonprofit organizations.

The City estimates that by the year 2000, a total of fifteen privately-owned housing projects will technically be at-risk of converting to market rate. Seven of the projects are funded by federal rent subsidies; five are assisted by multi-family mortgage revenue bonds; and three projects with density bonuses.

Potentially, by the year 2002, a total of 1,244 units within the City of Modesto are at-risk, of which 169 are elderly units, and 1,075 are non-elderly units. Exhibit IV-6 reflects an annual summary of at-risk projects by elderly and non-elderly units, from 1996 to 2000; which reflects this Housing Element's planning period.

Projects financed through various local, state and federal subsidy programs provide the owners with certain incentives to make the cost of operating the project more economically feasible and help allow the cost of renting the unit to be more affordable to lower-income families.

It has come to the City's attention that the project owners of the Westdale Commons intend to refinance their mortgage for more favorable interest rates. Thus, when this occurs, the 44 low-income units will remain as low-income units until the year 2005.

Exhibit IV-8 indicates the Section 8 Moderate Rehabilitation units that are at-risk of conversion and should be noted in the next Housing Element Update in 1999.

a. Analysis of At-Risk Units

(1) Location and Market Area:

Several factors were considered when determining the projects that were most likely to convert to market-rate housing. Factors to consider are the location, market area, and physical condition of the units at risk. A high percentage of the at-risk projects are concentrated in low-income neighborhoods, which are plagued with a variety of economic and related social problems. Thus, these projects are not likely to convert in the near future.

(2) Physical Location of the Projects:

Based on the generally satisfactory physical condition of the majority of the projects, physical condition would not necessarily affect the marketability of the units as market rate units. Their location in low-income neighborhoods, with the accompanying economic and social problems, however, would be more likely to affect their marketability.

(3) City Program Objectives

The City objectives for conserving the at-risk units for the period of the 1992 Housing Element (1990-1999) include an objective to preserve all (1,244) assisted units at-risk of losing government assistance over the next ten years.

(4) Cost Analysis of At-Risk Assisted Units

The City of Modesto arrived at an estimated cost to produce comparable units to replace those at-risk by reviewing actual costs paid by sources such as: (a) the Stanislaus County Housing Authority for a public housing project; (b) the Building Inspection Division for the cost per unit of a project currently under construction; (c) one local private developer who constructs projects within the Section 8 income range; and (d) one nonprofit housing corporation planning to construct affordable units in the city.

Multi-family housing construction costs vary according to the number of units built, size of the units, and the amenities (swimming pool, tennis court, recreation center). The greater number of units and the larger the units, the less the units will cost per square foot. As an example, in Modesto in 1991, the cost to build a 144-unit apartment complex, would be about \$52.00 a square foot, with each unit averaging 814 square feet. This equates to an average per unit cost of approximately \$42,000. This estimate includes land and construction costs, financing, marketing and profit.

(5) Preservation Cost of At-Risk Units

The cost to preserve housing is often more expensive than replacing it. The age, condition and maintenance record of housing plays a major role in the preservation cost. It is more difficult to place a cost on preserving existing units over time, because of a large number of components not easily estimated.

The City Planning staff checked with several housing management companies which currently manage multi-family housing projects to determine the approximate cost per unit to maintain and operate an existing project. For example, the Stanislaus County Housing Authority estimates that a 100-unit, multi-family complex would cost \$288,000 annually for operation and maintenance.

(6) Notification Process of At-Risk Units

According to the guidelines established by the U.S. Dept. of Housing and Urban Development (HUD), for units determined to be at-risk, such as HUD assisted projects (Section 221(d)(3), Section 236), owners must file a notice of intent to change the status of the project. This notice of intent must also include a plan of action filed subsequently with HUD, the chief executive officer of the appropriate local government, the mortgagee and the affected tenants up to two years prior to the scheduled prepayment date.

Following the receipt of the owner's notice of intent, the City of Modesto (or affected local jurisdiction) should make an effort to notify all existing non-profits in the area. The non-profits should have a proven capability or interest in acquiring and operating low-income housing.

HCD has initiated the Rental Preservation Program (RPP) to assist in the preservation of California's affordable subsidized housing stock. This program allows interested entities the opportunity to purchase certain federally-assisted rental housing developments. The opportunity to purchase applies to development where owners have either (a) given notice of their intent to prepay or terminate low-income use requirements, or (b) plan to discontinue the use of the development as assisted housing. HCD notifies local entities (such as the Stanislaus County Housing Authority) indicating that a local project owner has filed to prepay or terminate low-income use requirements.

If an owner offers property for sale to "priority" purchasers (non-profits) for 12 months and the sale falls through, the owner can then offer to sell the development to a qualified purchaser for three months. If the sale falls through or there are no bona fide offers, the owner can then prepay and terminate the low-income requirements.

(7) Entities with the Potential Capacity to Acquire and Manage Assisted-Housing Units

The Stanislaus County Housing Authority is one entity with the potential capacity to acquire and manage the assisted at-risk projects. The Housing Authority has had many years of managing and operating experience of low-income housing projects. While the Housing Authority may initially provide staff experienced in operating and managing such projects, they would need to acquire resources to buy and manage these units.

b. Possible Financial Sources Which Could be Used to Preserve At-Risk Projects

(1) Community Development Block Grant Funds (CDBG)

The City of Modesto's current annual CDBG entitlement amount is \$1.3 million, of which about 80% to 90% is used for housing assistance each year. The majority of funds allocated under the CDBG entitlement are used for the Housing Maintenance Program, which is a mandatory code enforcement program. Currently, the CDBG funding is used to assist several programs and services throughout the City of Modesto. Taking this into consideration, about 10 percent or \$100,000 a year may possibly be used to preserve at-risk projects in the future. To be able to commit CDBG funds to preserving at-risk developments, the City of Modesto would have to modify or revise its existing priorities for CDBG expenditures.

(2) Redevelopment 20 Percent Set-Aside Tax-increment Funds

State law requires redevelopment agencies to set aside at least 20 percent of the tax increment revenues for increasing and improving the City's supply of low- and moderate-income housing. There are no funds or reserves available for preservation of at-risk units at this time. However, the City of Modesto is in the process of expanding its current redevelopment area. When this occurs, it is possible that some of the tax increment monies collected can potentially be used for preserving the at-risk housing projects. Our Redevelopment Agency estimates that by 1997, there may be as much as one million dollars in tax increment set-aside funds for low- and moderate-income housing. At this time it has not been determined how these funds will be used.

(3) HOME Investment Partnerships Program

The HOME Program was created under Title II of the National Affordable Housing Act of 1990 to provide financial and technical assistance in the development of affordable low-income housing. The HOME Program permits the use of funds for rehabilitation, as long as the matching funds requirement is met. Congress has waived the matching requirement for HOME funds allocated in FY 1992. If this waiver is not extended in future years, matching funds for HOME-assisted projects will be calculated on a case-by-case basis. Eligible matching sources can include contributions from State/local governments or private sources. If funds received from the HOME program can be matched, the City can potentially use HOME funds to assist in the preservation of at-risk housing projects.

(4) Stanislaus County Housing Authority

The Stanislaus County Housing Authority has a local reserve fund. These funds have currently been committed for use in the development of new housing projects already planned by the Housing Authority. During the next five (5) years, however, the Authority anticipates that there will be approximately \$250,000 to \$300,000 annually in additional reserve funds. A portion of these funds could potentially be utilized in the case of a project that has "opted out" of its low-income provisions.

c. Establishment of a Policy

The City of Modesto should establish a policy, quantified objective, and program for the preservation of housing projects at-risk of conversion.

EXAMPLE: Policy 1

The City of Modesto should make a maximum effort to preserve, for its low-income households, the units in assisted housing developments that are eligible to change to non-low-income uses, due to terminations of subsidy contracts, mortgage prepayment, or expiration of use restrictions.

EXAMPLE: Program, Objective:

The City of Modesto's Program should ensure that assisted at-risk units do not convert to non-low-income uses. The 1990-1997 objective for the units at-risk program is to preserve all assisted multi-family rental units at-risk of losing government assistance over the next five years.

The Planning and Community Development's Housing Program Office shall continue to monitor the City's assisted housing projects. The City should keep in touch with the necessary agencies and sources, such as the Housing Authority, the owners of the at-risk units, HCD and HUD. This contact is essential and will help the city to be aware of any situation where assisted units are in danger of converting to non-low-income housing uses.

The Housing Program Office can continue to work with the California Housing Partnership Corporation (CHPC). The CHPC provides support to localities and nonprofit housing corporations in addressing a wide range of preservation opportunities.

The City of Modesto will continue to work with HUD, to ensure that any notification of potential sales of at-risk units are forwarded to the City. Any owners of projects at-risk of conversion must notify HUD of any impending sales

or conversion and if they plan to prepay their mortgages and/or if they decide not to renew their Section 8 contracts.

In addition to the above monitoring, the City of Modesto's Planning and Community Development Department will continue to respond to any situations dealing with housing projects at-risk of conversion. The department will use any available resources to preserve the units for lower-income households. Depending on the feasibility, political support, availability of funding and the specific situation(s), the City will take the following actions:

- (1) Negotiate with the project owners and persuade them to retain the units for lower-income households;
- (2) Assist non-profit housing corporations in obtaining financing to purchase projects;
- (3) Use of CDBG or other funds to purchase or subsidize a project or projects;
- (4) Apply to HUD and/or the State Department of Housing and Community Development for financial and technical assistance;
- (5) Consider using a City bond financing program such as the Multi-family Revenue Bonds as used in previous years.

D. SUMMARY OF HOUSING CONSTRAINTS

This section of the Housing Chapter identifies housing constraints which may discourage the construction of new housing. Actual or potential constraints on the provision and cost of housing affect the development of new housing as well as the maintenance of existing units for all income levels. Non-governmental (market), and governmental constraints that affect the development of housing are discussed below.

1. Non-governmental (Market) Constraints

The high cost of renting or buying adequate housing is the primary ongoing constraint to providing affordable housing in the City of Modesto, although our past performance has been exemplary. Construction costs, land costs, labor costs, and market financing constraints are all contributing to increases in the availability of affordable housing.

a. Financing Costs

The costs of financing residential development is, to a great extent, dependent on national economic trends and policy decisions. Interest rates for residential development, such as construction loans and permanent financing, are tied to the private market and fluctuate depending on the prime rate or other market

indicators. In addition to interest rates, loan terms and conditions can vary and are affected by the availability of funds both in the primary and secondary loan markets.

Currently, mortgage rates are at a record low (1/1992) with a variety of mortgage financing options available. Fixed rate mortgage loans with a 30-year term had interest rates varying from 7.75 to 8.50 percent. Adjustable Rate Mortgages were available at rates starting at 4.50 to 7.25 percent, but the actual annual percentage rate was more in the range of 8.50 to 11.75 percent. However, the interest rate percentages do not include lender fees. These fees can be as much as one to three percent of the actual loan amount.

Interest rates are an important factor in residential financing because, as interest rates increase, more potential homebuyers are excluded from the market. For example, a \$100,000 fixed rate, 30-year mortgage at ten percent, requires a \$878 monthly mortgage payment, while the payment on the same mortgage at nine percent is \$805, a difference of \$73 per month. A mortgage at a lower interest rate can be the deciding factor in whether a home buyer "qualifies" for a loan.

b. Land and Construction Costs

Land costs for new residential development may vary depending on the location, size and type of development. Factors that further increase the cost of new residential development include construction costs, financing costs, and infrastructure costs.

Similar factors influence the cost of single family and multi-family housing construction. The amount of costs vary, depending on the labor and material costs, land costs, as well as the price of fees and permits. Multi-family construction costs vary according to the number of units built, size of the units, and the amenities (swimming pool, tennis court, recreation center). The greater number of units and the smaller the units, the less the units will cost per square foot. As an example, an estimated cost to build a 144-unit apartment complex, would be about \$52.00 a square foot, with each unit averaging 814 square feet. This equates to an average per unit cost of approximately \$42,000. (This estimate includes land and construction costs, financing, marketing and profit.)

In regards to single family construction, Exhibits IV-9 and IV-10 reflect the typical costs of a new 1,200 square-foot single family house and a new 2,200 square-foot house in the City of Modesto.

2. Governmental Constraints

Housing affordability is affected by factors in both the private and public sectors. Actions by the City of Modesto as well as state and federal governmental actions can

have an impact on the price and availability of housing in the City. Land use control; building codes; development and infrastructure fees; site improvement requirements; and other state and federal programs (such as Article 34) intended to improve the overall quality of housing may serve as a constraint to housing development within the City of Modesto.

a. Land Use Controls

In 1974, the City Council adopted an Urban Growth Policy which established a process and criteria for evaluating the need for expanding sewer service to new areas for residential development. The Urban Growth Policy includes an annual inventory of vacant residential land for the purpose of determining the need for sewer trunk extensions. One of the goals of the Urban Growth Policy is to maintain a three to five year supply of vacant residential land. In 1979, the citizens of Modesto passed the Modesto Citizen's Advisory Growth Management Act (Measure A) which requires the City to hold an advisory vote of the citizens prior to extending sanitary sewer service into areas outside of the Current Sewer Service Area. The 1974 Urban Growth Policy was amended in 1979 to incorporate Measure A.

In 1989, the City adopted an Urban Growth Management Strategy calling for future urban expansion in the Urban Reserve to occur in comprehensive planning areas known as "villages". The priorities for further sewer trunk extensions and village development are influenced by an EPA mitigation measure which requires that the City directs new growth toward areas of poorer soils first, to the east and northeast.

Measure A has, in the past, been a constraint to development of housing. During the period of the preceding Housing Element, two ballot measures to extend sewer trunks for new development were defeated. Responding to the concerns expressed regarding new growth, the City formed a citizens committee (the Urban Growth Committee) to build a community consensus on how Modesto should grow. Out of this committee came two major recommendations: 1) That new growth should mitigate the impacts it creates through the payment of Capital Facilities Fees (see below), and 2) that Modesto should grow through a series of pre-planned "villages".

These recommendations were adopted by the City Council and incorporated into the City's Urban Growth Policy. The strategy has been successful in mitigating the effect of Measure A, as Village One, the first effort resulting from this strategy, was approved by the voters in 1990. Thus, the Urban Growth Policy is not a constraint to the development of new housing.

b. Building Codes and Enforcement

The City of Modesto enforces the Uniform Building Code (UBC), and related codes throughout the City. The UBC is necessary for the proper construction and maintenance of safe and decent housing and is not considered a constraint to development. Energy conservation requirements are enforced through Title 24 regulations. Title 24 of the State Code, contains energy conservation standards that provide guidelines for residential construction in regard to energy conservation, such as appropriate wall, floor and ceiling insulation. The Title 24 regulations are not considered as constraints to development since they promote a more energy efficient residential environment. City Building Inspectors, from the Public Works and Transportation Department, plan check new residential development for building code compliance and energy efficiency, as well as investigate violations to the Building Code on a complaint basis.

c. Article 34

Article 34 of the California State Constitution requires that public entities obtain voter approval before they "develop, construct or acquire": a public housing project. The provision of this state law can represent a significant governmental constraint because there is often considerable public opposition to these types of projects at the neighborhood level. However, since 1972, the voters of Modesto have approved three public housing referendums for a total endorsement of 1,300 units. To date, 396 authorized units have been built by the Stanislaus County Housing Authority. A total of 904 voter-approved units remain unbuilt. Currently, the Housing Authority has project applications for 120 senior units and 30 family units, pending the securing of project financing.

d. Zoning

The City of Modesto has three residential zones: R-1, R-2, and R-3. The R-1 Zone allows single-family development with a minimum lot size of 5,000 square feet. The R-1 Zone also allows second units as a use of right on corner lots, and second units on other lots with plot plan review. The R-2 and R-3 Zones allow multi-family development at maximum densities of 14 dwelling units per acre (du/ac) and 27 du/ac respectively. In addition, the City grants Planned Development (P-D) zoning to allow for development options beyond what is allowed in the standard residential zones (e.g., small-lot patio housing, high-density senior housing).

The City does not consider its zoning standards to be a constraint on development. The minimum lot sizes, maximum permitted densities, and provisions for allowing second units, together with the special provisions of the Planned Development Zone, are all aimed at maximizing density. This is consistent with one of the goals of the Urban Growth Policy (see above) which calls for

maintaining an overall minimum density of 7.5 dwelling units per net acre. Modesto's current overall density of 7.57 du/ac and is among the highest in the Central Valley.

e. Development Standards

The City's development standards for new residential development are meant to ensure compatibility between land uses and to maintain the livability and safety of its neighborhoods. Development standards include parking standards, building setback requirements, landscaping and fencing requirements for multi-family housing, and construction of certain on-site improvements such as curbs, gutters, and sidewalks.

Parking standards require two spaces per dwelling unit, except for multi-family projects over 35 units, which require 1.5 spaces/dwelling unit for units in excess of 36. Building setbacks are 15 feet for the front yard (20 feet for garage), and five feet for the side and rear yards. A setback of 40 feet is required for two-story multi-family structures adjacent to single-family housing, to maintain compatibility. Screen landscaping and fencing are also required for multi-family projects adjacent to single-family housing, again to maintain compatibility. The requirement for the installation of curb, gutter, and sidewalk is for public health and safety reasons.

These standards are not a constraint to the development of housing because they are considered minimum standards designed to protect the public health, ensure compatibility between adjacent land uses, and to maintain and enhance the livability of Modesto's neighborhoods.

f. Developer Fees

From the late 1970's, until the late 1980's, the City was losing ground on financing for public facilities. Broad-based funding for the Capital Improvement Program (CIP) of years past had dried up. At one time, half of the sales tax revenues had been pledged to the CIP. Now all sales tax revenues are committed to the operating budget. State and federal funding has dwindled. So has the City's ability to pass General Obligation Bonds and sales tax increases for transportation purposes.

The City was faced with reducing its standards for capital infrastructure, or annually, greatly increasing its deficiency of needed unfunded projects, or developing a new revenue source -- developer fees. An advisory vote on urban growth suggested that a 1987 plan whereby new growth would pay for part of its infrastructure needs wasn't enough. Growth had to pay its way without future assumptions of broad-based funding support. Consequently, the City has adopted a set of comprehensive developer fees called Capital Facilities Fees (CFF). In

addition, the County has adopted Public Facilities Fees (PFF) so that new growth will finance its capital needs. In addition, fees are included for new growth areas such as the Village One Specific Plan area. Refer to Exhibit IV-11.

In addition, the school districts have a \$1.58 per square foot developer fee for residential uses. This fee does not cover total school expenses but it is all that will be collected in the City's existing urban area. New growth areas within the City's urban reserve will have to participate in a schools' Mello Roos District with anticipated cost of \$10,000 to \$12,000 per dwelling unit for the elementary school districts (K-6 and 7-8 facilities) and the high school district (9-12 facilities).

Fees for development in the new Village planning areas will probably be somewhat higher than current city-wide fees. Specific Plan area fees such as Area of Benefit Assessment districts, homeowner association dues, maintenance districts, and other special fees may be necessary to fund the required infrastructure to City standards.

Exemptions in the form of fee waivers or deferrals are available for the City's Capital Facility Fees (CFF).¹ The Stanislaus County Housing Authority and other nonprofit sponsors of housing for very-low-income households are exempt from the City's CFF, including projects to be developed in Village One. For new multi-family projects with density bonuses, serving very-low and low income households, the City's CFF can be deferred. {See Policy 33 in Section F of this Chapter for further information.}

g. Local Processing and Permit Procedures

The City of Modesto has good reputation for reasonably quick and efficient processing of development and building applications and permits. Exhibit IV-12 outlines the City's processing times and costs, as of January 1, 1995.

E. SUMMARY OF HOUSING OPPORTUNITIES

This section evaluates the potential residential development which could occur under the City's General Plan and Urban Growth Policy, within the next five years. It includes the vacant sites in the City's Current Sewer Service Area; Village One; and vacant sites within the City's Urban Reserve (or Sphere of Influence). Based on the analysis stated below, there is a sufficient inventory of land available to accommodate the City's current and projected Regional housing Needs.

¹It must be noted that exemptions or fee deferrals pertain to the City's fees and not school district fees. According to Deborah Bailey, Modesto City Schools Director of Planning and Research, "the schools cannot afford to extend similar considerations since lower income housing tends to generate more school-age population that housing in general and therefore creates greater impacts on the schools."

1. Vacant Sites in the Current Sewer Service Area

a. Vacant Subdivision Lots Within Recorded Final Maps

This category of vacant residential land consists of 292.7 acres of vacant lots in existing single-family subdivisions. A total of 1,447 vacant single-family lots are located in subdivisions throughout the City. Since these lots are located in single family subdivision, there is a potential for 1,447 total dwelling units that have the potential to be built upon. The inventory in this category will most likely develop first, because building permits can be issued at any time.

b. Vacant Residential Land With Approved Tentative Maps

This Category of vacant land represents land within approved tentative subdivisions or other development approval. A total of 104.6 acres exists with a total of 808 potential dwelling units, which includes 447 single-family, 172 multi-family and 189 senior units. This inventory will likely develop after the vacant land within recorded final maps.

c. Balance of Vacant Residential Land

There are approximately 455.6 acres (gross acres) of vacant land located within the City of Modesto, with a potential 3,687 dwelling-unit-capacity. While there are some developable infill parcels, there are a variety of parcels that are not likely to develop in the near future. Thus, it is likely that only about one-half or 1,843 dwelling units could actually be built by 1997. Reasons for this include: parcels with long-time ownership by family with no intention to sell or develop, and parcels that due to physical characteristics are not easily developable.

For more information, a neighborhood-by-neighborhood listing of the City's three categories of vacant land in the current sewer service are located in the Attachment Section of Appendix A, as well as a map of potential residential land which illustrates the location of vacant parcels over one acre in size.

(1) Village One

Village One is a planned mixed-use development that encompasses 1,784 acres, including 803 acres of residential land that will result in approximately 7,400 dwelling units. Village One employs many new planning concepts and provides for financing of all needed community facilities and infrastructure.

A Specific Plan, Financing Plan and Environmental Impact Report were approved by the Modesto City Council on October 1990. The area is currently undergoing annexation. Infrastructure plans and final financing

arrangements will be complete by the end of 1992, and then the area will be ready for development.

The first phasing for development in Village One will be in the Village Center area. Precise plans for this area include higher density multi-family developments and small-lot single-family homes. A breakdown of housing types that are planned for Village One are depicted in Exhibit IV-13.

(2) Vacant Sites in the Urban Reserve Within the Next Five Years

The City's Urban Reserve is divided into eight Villages, plus five remnant neighborhoods. According to data compiled by the City Planning Department, the Urban Reserve totals 9,240 acres, and could result in approximately 40,400 dwelling units. However, due to the land use constraints discussed in Chapter 3, only Village One and two remnant neighborhoods are likely to develop by 1997.

The two remnant neighborhoods, NE McHenry and Beyer, total 171 and 161 acres respectively. These remnant areas, (also known as the "Claratina-Coffee Reorganization" and the "North Beyer Park Reorganization") have requested to be annexed to the City of Modesto. Applications for annexation of both remnant areas to the City of Modesto were received by the Stanislaus County LAFCO. A Draft Environmental Impact Report, has been prepared and is still in the environmental review process.

It is estimated that a potential of 1,882 new dwelling units could be built in the above two remnant neighborhoods by 1997. In addition, when annexation occurs, two mobilehome parks (with a total of 247 mobilehomes) will be annexed into the City. Of the estimated 1,882 new dwelling units, 578 will be single family, and 1,304 will be multi-family units.

2. Housing Opportunities for Manufactured Housing and the Homeless

In addition, State law required that each Housing Element address specifically the land areas and sites available for particular types of housing and shelter of not only single family and multi-family site, but sites for manufactured housing and emergency shelters and transitional housing as well.

a. Manufactured or Factory-Built Housing

Government Code Sections 65852.3 and 65852.4, as amended in 1988, provide for manufactured housing in single-family residential zones. These statutes

require the City to allow the installation of manufactured homes on a permanent foundation on lots zoned for single-family residences. Manufactured homes must be certified under the 1974 National Manufactured Housing Construction and Safety Standards Act. The City may apply setback, side yard, parking, and other development standards which it would apply to a conventional house on the same lot.

Potential manufactured housing/mobile home park sites can be located in any residential area in the City, subject to an approved Planned Development Zone. Currently, there are not any undeveloped mobile home parks in Modesto. Although there are several sites in the Current Sewer Service Area that are suitable for a mobile home park, no request have been received from the property owners of these sites for Planned Development zoning to allow a mobile home park. The City of Modesto has been in compliance with these statutes since their effective date. The City's Building Inspection Division requires only that the structure be attached to a permanent foundation and be in compliance with all applicable building regulations.

b. Emergency Shelters and Transitional Housing

The majority of homeless people within Modesto are located at various locations throughout the City. As noted in the 1992 Housing Element Technical Appendix, there are several locations that provide shelter to the homeless. The Modesto Gospel Mission is in the process of expanding its facilities to serve more persons in need of emergency housing. The City of Modesto, HUD and Community Temporary Shelter Services have combined efforts to provide three single-family residences as transitional housing for three homeless families and are working to provide a fourth house.

The City of Modesto continues to permit emergency housing (homeless shelters) in commercial and in less restrictive residential zones, with a conditional use permit. The majority of the agencies that serve the homeless in Modesto are located either near the City's downtown - the Salvation Army; or near industrial areas -- Men's and Women's Gospel Missions.

3. Assumptions and Data for Calculating Vacant Sites

The Modesto Planning and Community Development Department prepares an annual report, the Urban Growth Policy Review, that inventories vacant residential land in Modesto within the City's Current Sewer Service Area. The 1991 Urban Growth Policy Review shows that there are 854 acres of vacant residential land within the Current Sewer Service Area. Of this total, 293 acres are vacant lots in recorded final subdivisions, 105 acres are vacant parcels with approved tentative subdivision maps on them, and 456 acres are vacant parcels with no development approvals on them. The published version of the 1991 Urban Growth Policy Review actually shows 449 acres of vacant parcels with no

development approvals, and 847 acres total vacant residential land. An error of 7 acres was discovered in the report when compiling the data for the Housing Element.

The following is an analysis of potential dwelling units for each category of vacant land shown in the 1991 Urban Growth Review:

- a. Vacant Subdivision Lots: This category consist of vacant lots in existing single-family subdivisions. Since these lots are located in single-family subdivisions, it was assumed that one house per lot would be developed. Although City of Modesto regulations allow duplexes on corner lots and second units on interior lots with plot plan approval, the great majority of single-family lots in Modesto develop with only a single home. Exhibit IV-14 identifies potential dwelling units on existing vacant subdivision lots within the City of Modesto.
- b. Vacant Land With Approved Tentative Maps: This category represents land which has an approved tentative subdivision map or other development approval. Because these parcels have definite development plans, it is possible to accurately determine the number of dwelling units that will be built, assuming that development of these residential projects is carried through. Exhibit IV-15 shows the acreage and the number of dwelling units of these approved developments, by zone. Note that there are two approved senior housing projects included.
- c. Vacant Land Without Development Approvals:

This category represents land on which there are currently no approved development proposals. Therefore, it is possible only to estimate the number of dwelling units that could be built on this land.

Exhibit IV-16 shows the potential number of dwelling units that could be developed on this vacant land, if all parcels developed under the existing zoning. The vacant parcels in the category are currently zoned either R-1, R-2, or R-3 (for an explanation of these zones, see Zone in the Glossary). The first column shows gross acreage (that is, raw land, before street dedications). Then gross acreage is converted to net acreage. In the case of land zoned R-1, it was assumed that 25% of the land would be needed for streets. For land zoned R-2 and R-3, it was assumed that street dedication would be minimal, since apartment projects typically rely on private driveways for internal traffic circulation, rather than public streets. Then, an average density of development (dwelling units/net acre) was assumed for each zone, based on development standards for the zone and on existing project densities, to arrive at the number of potential dwelling units.

The above methodology assumes that all vacant parcels will develop by 1997. However, this category of vacant land is composed of infill parcels, and some of these parcels are not likely to develop in the near future. There are a variety of reasons for this, some economic, some relating to the physical characteristics of

the parcels, and some due to other factors such as long-time ownership by a family with no intention to develop or sell. It is difficult to estimate how many of these parcels will develop, but probably no more than 50% of the potential 3,600 dwelling units will be built by 1997.

d. Assumptions for Village One

The potential dwelling unit capacity for the Village One Specific Plan area is anticipated to be 8,000 units. The actual number of units achieved will depend, to a great extent, upon the efficiency of land use and the amount of land set aside for local streets. The standard R-1, R-2, and R-3 zoning categories were not used because the range of housing types included a higher number of small lot units. Generally, the Village Residential category would equate to R-1 and the Multi-Family category would equate to R-3 zoning. Exhibit IV-17 shows the estimated number of potential dwelling units within the Village One Specific Plan Area.

e. Assumptions for the Vacant Sites in the Urban Reserve (NE McHenry and Beyer)

The potential dwelling unit capacity for the two remnant neighborhoods: (NE McHenry and Beyer) are anticipated to be 2,129 units (including 247 existing mobilehomes, located within two mobilehome parks that will be included in the annexation). The breakdown is shown on Exhibit IV-18.

f. Assumptions for the Urban Reserve, by Village and Remnant Neighborhood

Exhibit IV-19 shows the buildout estimates for the remaining areas of the Modesto Urban Reserve.

F. HOUSING POLICIES

The following Policies were reproduced, word for word, from the "Action Programs" developed in the 1992 Housing Element. These Action Programs were adopted by the City Council on May 19, 1992. The State Department of Housing and Community Development approved the Action Programs as compliant with State law. These Action Programs are now named and referred to as housing "Policies." Exhibit IV-20 summarizes all of the following housing policies. Exhibit IV-21 depicts a summary of the City's best faith efforts in meeting the overall projected housing needs during the 1992-1999 planning period.

1. Affordable Housing Catalog

Program Description: Existing. Aggressively explore the variety of potential financial housing assistance programs from both the public and private sector to provide more affordable housing units. Update the Village One Affordable Housing Catalog; which highlights all available local, state, federal and private affordable housing programs; to include citywide programs for new housing as well as programs that assist in the

conservation and/or rehabilitation of existing housing. This catalog should include ways to leverage additional funds to provide an even greater number of affordable housing units.

Time Frame: Ongoing. Update Annually.

Responsible Agency: City Planning

Funding Source: City Staff Time
General Fund, Community Development Block Grants

2. Citywide Housing Trust Fund

Project Description: New. The City shall seek to establish a Citywide Housing Trust Fund whose purpose would be to provide financial support to various housing programs, and to increase the supply of housing affordable to very-low, low- and moderate-income households. The Housing Trust Fund should also seek to improve the neighborhoods and housing conditions of the City's residents who are at or below 80% of the area median income, as established by HUD.

Time Frame: 1993 - Staff to study the feasibility of a citywide program
1994 - Draft Ordinance
1995-1996 - Study Village One Program for Applicability

Responsible Agency: Planning & Community Development Department
Planning Commission, City Council
Redevelopment Agency

Funding Source: Tax increment funds, land sales, home purchase assistance programs, and other future resources that would increase the supply of low- and moderate-income housing. In addition, the funding sources used uniquely for Village One shall be considered in the near future, for possible use citywide.

3. Community Housing Coalition

Program Description: New. Consider the establishment of a local community housing coalition that may include the following: Realtors, developers, business leaders, environmentalists, low-income housing producers and social service providers. This coalition could meet on semi-annual basis to discuss and exchange information on successful affordable housing programs that can be implemented on a community-wide basis.

Time Frame: 1993-94 Draft proposal

Responsible Agency: City Planning & Community Development Department
Stanislaus County Planning Department
Stanislaus County Housing Authority
Community groups & organizations interested in housing,
STANCO, Modesto Association of Realtors

Funding Source: Community Development Block Grants, Private resources

4. Community Reinvestment Act

Program Description: New. The City shall seek to establish a program to work with local Community Reinvestment Act lenders. This program could be the development of a resource list for interested developers/builders, as well as commercial lenders interested in funding construction loans for low-income housing. As a result of the passage of the Community Reinvestment Act, many commercial lenders have developed an interest in funding low-income projects, within their local community.

Time Frame: 1992-1993.

Responsible Agency: City Planning & Community Development Department
City Finance Department
Local Banks/Lenders

Funding Source: General Fund/Private resources

5. Comprehensive Housing Affordability Strategy (CHAS)

Program Description: New. HUD requires communities to develop a CHAS in order to apply for certain housing assistance programs. 1991 was the first year in which a CHAS was required. The development of the 1992 CHAS shall be consistent and reflect the policies and programs of the Housing Element. Preparation of a CHAS acts a jurisdictions "notice of intent" to participate in applying for program funding offered by HUD.

Time Frame: Due annually on October 31st

Responsible Agency: City of Modesto Housing Program Office, Planning and
Community Development Department

Funding Source: Community Development Block Grants

6. Density Bonus

Program Description: Existing. Continue to grant density bonuses for the provision of affordable housing units as required by state law. The units shall remain affordable for a

minimum of 10 years. For those granted additional incentives, the units must remain affordable for 30 years.

Quantified Objective: 500 new multi-family density bonus units between 1992 and 1997 (or an average of 100 units per year, with rents affordable to those in the lower income categories).

Time Frame: Ongoing, as applications are received.

Responsible Agency: Planning & Community Development Department
Planning Commission
City of Modesto City Council
Stanislaus County Housing Authority (contract monitoring)

Funding Source: General Fund; Applicant for contract monitoring costs

7. Land Banking

Program Description: New. The City shall work towards establishing a land banking program for very-low, low- and moderate-income housing. In this program, the City's Nonprofit Housing Corporation, or Redevelopment Agency would purchase land for affordable housing where there is a reasonable expectation that development will occur there in the short-term future. (The establishment of a Citywide Nonprofit Housing Corporation is listed under Policy 10.)

Time Frame: 1993: Staff Study on feasibility of program
1994: Draft Ordinance
1995: Adopt Ordinance
1996-1997: Purchase sites, if possible

Responsible Agency: City Nonprofit Housing Corporation
City Housing Program Office
City Property Agent
Local Nonprofits (STANCO, Habitat for Humanity)

Funding Source: Initially commitment of planning staff, time, HUD Community Development Block Grants, technical and financial assistance from financial institutions, and possible Redevelopment Funds.

8. Low- and Moderate-Income Housing Fund

Program Description: Existing. State law (AB 265) required that all redevelopment project areas in the state, to set aside 20% of tax increment revenues for increasing and improving the community's supply of low- and moderate-income housing. Furthermore, Chapter 1140, Statutes of 1989 amended the Housing Element Law to require the housing

program of an Element to include a description of the use of moneys in the Redevelopment Agency's Low- and Moderate-Income Housing Fund. This fund was established with the adoption of an expanded project area in 1991. It is estimated that over the next five years there will be one million dollars accumulated in this fund. It has not yet been determined how these funds will be used. However, this Housing Chapter proposes several programs (e.g. Policies 11, 13, and 19) that could assist the Redevelopment Agency in increasing and improving the community's supply of low- and moderate-income housing.

Time Frame: To begin when tax increment funds become available (estimated to begin in 1992-1993). When this occurs, the Agency will develop a program which will set forth the means of distributing funds generated by the Redevelopment Agency.

NOTE: The Agency developed and adopted a Redevelopment Implementation Plan in 1994.

Responsible Agency: Redevelopment Agency

Funding Source: 20% of the tax increment allocated to the Redevelopment Agency.

9. Multi-Family Mortgage Revenue Bonds (MFMRB's)

Program Description: Existing. Continue to participate in mortgage revenue bond programs when market conditions stimulate developer participation. MFMRB's provide tax-exempt low-cost financing to developers of projects who provide a portion of rental units at rents affordable to lower income households.

Time Frame: Re-evaluate annually. At this time, market-rate interest rates are low, so there is little developer interest in the program. However, if interest rates change, this program should be re-evaluated.

Responsible Agency: Stanislaus County Housing Authority
City of Modesto Housing Program Office
Modesto City Council

Funding Source: Community Development Block Grants
Developers pay cost of bond issue

10. Nonprofit Housing Development Corporation

Program Description: New. Establishment of a Nonprofit Housing Development Corporation to promote, assist and or sponsor housing developments in the City of

Modesto for lower income families. The City will establish a Nonprofit Housing Development Corporation. The City will develop a citywide publicly-assisted program to be administered by the nonprofit. This present program does not prohibit the City from working with STANCO or other nonprofit housing agencies, nor does it require the creation of a new agency. When this program is implemented, the most effective agency structure will be determined at that time.

Time Frame: 1992-1993: Draft Ordinance and Establish Corporation

Responsible Agency: City of Modesto Housing Program Office
Planning & Community Development Department

Funding Source: Community Development Block Grants, HOME funds

11. Relocation Assistance Program

Program Description: Existing. This program assists residents who may need relocation assistance because of the Redevelopment Agency actions. If relocation is necessary, this program helps to minimize relocation as much as possible by implementing the Agency's relocation guidelines.

Time Frame: Ongoing. The Redevelopment Agency's relocation guidelines were revised and updated on January 28, 1992.

Responsible Agency: Redevelopment Agency

Funding Source: 20% of the tax increment allocated to the Redevelopment Agency

12. Section 8 Certificate Program

Program Description: Existing. Under this program, eligible participants pay a maximum of 30 percent of their income for rent. The program then pays the difference between the rent the participants pay and the total (market rate) rent of the unit.

Quantified Objective: 250 certificates issued (or 50 per year) between 1992-1997, to assist those households in the very-low-income category.

Time Frame: Ongoing. The City will monitor annually the number of Section 8 certificates issued by the Housing Authority.

Responsible Agency: Stanislaus County Housing Authority

Funding Source: HUD

13. Support Nonprofit Housing Sponsors

Program Description: Existing. Support non-profit corporations such as the Stanislaus County Affordable Housing Corporation in their efforts to make housing more affordable to lower- and moderate-income households.

Time Frame: Ongoing, provided as necessary. The City will continue to provide technical or financial assistance to local nonprofit housing sponsors who construct, acquire and or improve lower- and moderate-income housing within the City of Modesto.

Responsible Agency: City of Modesto Housing Program Office
City Council
STANCO, Habitat for Humanity

Funding Source: Community Development Block Grants
20% tax increment funds, Private resources

14. Very-low Income Renters Assistance Program

Program Description: New. Establish a Renters Assistance Program to assist very-low-income households seeking a new rental housing in Village One. Possible very-low-income households needing assistance: senior citizens (Senior housing will be provided in the Village Center, as described in the Village One Specific Plan). If this program proves successful, consideration will be made to establish a program of this nature citywide.

Quantified Objective: Provide assistance to an estimated 138 very-low income households.

Time Frame: 1993-1994 Establish program
1995-1996 Evaluate the success of this program to consider its implementation citywide.

Responsible Agency: Planning & Community Development Department
City Nonprofit Housing Corporation
Stanislaus County Housing Authority

Funding Source: Density Bonus, Community Development Block Grants, HUD Section 8, Section 202 Elderly, HOME funds, Multi-family Mortgage Revenue Bonds

15. Village One Housing Trust Fund/Equity Sharing Program

Program Description: New. The City shall draft and adopt an ordinance establishing a Housing Trust Fund/Equity Sharing Program, which will be supported by a developer fee based on single-family homes built in excess of 800 square feet. This program will assist eligible low- and moderate-income households with "gap financing," with the City taking an equity share in the home. The funds collected from the Equity Sharing Program will go into the Housing Trust Fund. The program represents the best utilization of local resources and was developed by the Village One Affordable Housing Task Force. In addition, should State or Federal government funds become available, the City will consider applying for these funds to assist in the implementation of this program.

Quantified Objective: Approximately 101 low- and 322 moderate-income first-time homebuyers will be eligible to participate in this program. The City's Housing Program Office will administer and monitor this program. To assure that this program is maintained over the long term funds collected from resales would be recycled in the form of new gap financing loans.

Time Frame:
1992 - Establish Trust Fund Ordinance
1993 - Development begins in Village One, Trust Fund receives first of funding.
1994 - A percentage of low-and moderate-income households are assisted, as funds are accumulated.

Responsible Agency: City of Modesto Housing Program Office Planning & Community Development Department

Funding Source: Single Family builders contribution and Capital gains from resales in Equity Sharing Program

16. HOME Consortium Program

Program Description: New. The City of Modesto will explore participating in the formation of a Consortium for the purpose of seeking increased federal funding under the HOME program. The formation of the Consortium should include other incorporated cities and the County, along with the Stanislaus County Housing Authority. It is assumed that this Consortium could potentially increase the entitlement funding for all members, including the City.

Time Frame:
1992- Explore participating in a Consortium to determine if it is beneficial to the City's entitlement funding will be increased.
1993- If Consortium is beneficial to the City, proceed with the formation and administration.

Responsible Agency: Stanislaus County Housing Authority Planning & Community Development Department Stanislaus County Planning Department Other Incorporated Cities within the County

Funding Source: Initial program start-up would require staff time.

17. Federal Low-Income Tax Credits

Program Description: Existing, but limited source of funding. Encourage the use of Federal Tax credits for the production of low-income housing. City staff will research the use of Federal Tax Credits and request application packets from the Mortgage Bond Allocation Committee; prepare an information summary to inform prospective users of the program.

Time Frame: Prepare List by 1993

Responsible Agency: Planning & Community Development Department Providers of Multi-family Housing

Funding Source: Federal and State Government. (Recognizing the urgent need for housing of larger families, state law requires that priority for tax-exempt funds be given to projects containing three or more bedroom units.)

18. Handicapped Accessible Housing

Program Description: Existing. The City shall continue to comply with the 1988 Fair Housing Access Act, which requires access requirements for disabled and physically handicapped persons for public and multi-family housing.

Time Frame: Ongoing. The City will continue to comply with the 1988 Fair Housing Access Act, as well as any new access requirements that may result from future legislation.

Responsible Agency: City Planning and Building Inspection Divisions and Providers of public and multi-family housing

Funding Source: General Fund
Private Resources

19. Single Room Occupancy

Program Description: New. The City shall develop an ordinance that will encourage the development of single-room occupancy housing units. These units can serve primarily the lower income tenant, and should be located in close proximity of existing social

services, such as within the City's urban transitional zones. Development of this program would include the identification of, and the elimination of, any present development regulations which would preclude construction of single-room occupancy projects.

Quantified Objective: 10 new units per year; or an average of 50 new units between 1992 and 1997; which will provide housing to lower income residents.

Time Frame: 1992-1997

Responsible Agency: City of Modesto Housing Program Office, Redevelopment Agency Nonprofit and/or For-profit Housing Corporations

Funding Source: HUD Rental Rehabilitation Loans, Federal Emergency Management Agency Funds State Proposition 107 Funds Redevelopment Tax increment Funds

20. Coordination with Agencies Serving the Homeless

Program Description: Existing. The City shall continue to work with agencies such as the County Social Services Department, the Community Temporary Shelter Services Coalition (CTSSC), United Way and the Modesto Gospel Mission on developing housing and employment programs for the homeless.

Time Frame: Ongoing meetings with agencies that assist the homeless.

Responsible Agency: City Housing Program Office, United Way, CTSSC, Homeless Service Providers, Stanislaus County Social Services Dept.

Funding Source: FEMA and HUD Homeless Funds
Community Development Block Grants; United Way

21. State Bond Programs

Program Description: New. In general, the City shall seek to secure state bond financed funds, such as Proposition 84 and 107 Bond funds, which provide financing for several affordable housing programs. One such program makes low interest deferred payment loans to public and private developers to develop affordable rental housing. Prop. 107, the "Housing and Homeless Bond Act of 1988", provides funding for the following: emergency shelters and transitional housing for homeless persons; the development of new rental housing that meet the needs of the elderly and disabled; the purchase and or rehabilitation of residential hotels; and provides home purchase assistance for first-time homebuyers.

Time Frame: Apply for funding on annual basis

Responsible Agency: City of Modesto Housing Program Office
City Non-profit Housing Corporation

Funding Source: State Bond Funds

22. Transitional Housing Program

Program Description: Existing. The City shall continue to work with HUD and the Community Temporary Shelter Services Coalition in providing transitional shelter (single family residence), and counseling services to homeless families.

Quantified Objective: Seek to provide three (3) more single-family residences between 1992-1997 for families in need of transitional shelter.

Time Frame: Ongoing. The City of Modesto Housing Program Office and the Community Temporary Shelter Services meet or confer on a monthly basis.

Responsible Agency: City of Modesto Housing Program Office and Community Temporary Shelter Services Coalition

Funding Source: Community Development Block Grants, HUD State Bond Funds (Prop. 107)
Federal Emergency Management Agency Funds

23. First-time Homebuyer Program

Program Description: New. Develop a Citywide program to assist first-time homebuyers of low- and moderate-income with downpayment assistance. Work with local groups such as the Association of Realtors, Mortgage Lenders Association, Building Industry Association (BIA), Modesto Chamber of Commerce, Affordable Housing Task Force, and others to establish a first-time homebuyers program.

Time Frame: 1992-1993 contact listed groups for interest.
NOTE: The City developed and adopted a first-time homebuyer program in 1994.

Responsible Agency: City of Modesto Housing Program Office
Planning and Community Development Department,
Association of Realtors, BIA, Chamber of Commerce,
Mortgage Lenders Association

Funding Sources: General Fund, Redevelopment Tax Increment, Private Resources

24. Mortgage Credit Certificates

Program Description: New. Mortgage Credit Certificates allow first-time homebuyers to take 20 percent of their annual mortgage interest as a dollar-for-dollar tax credit against their federal income tax. Certificates are issued by a local agency (e.g. Housing Authority) and are most applicable for moderate-income households.

Time Frame: 1993: Investigate the use of mortgage credit certificates.
NOTE: The Housing Authority of the County of Stanislaus developed and adopted a Mortgage Credit Certificate Program in 1994.

Responsible Agency: First-time Homebuyers, Planning & Community Development Department, Stanislaus County Housing Authority

Funding Source: California Debt Advisory Board, Franchise Tax Board

25. New Construction: Moderate and Above Moderate Units

Program Description: Existing. Past results revealed that private sector residential construction activity produced an estimated 9,155 new moderate- and above moderate-income housing units between 1984-1989. It is expected that the building activity in these income categories will continue, although not as many as in the previous years.

Quantified Objective: 5,000 market rate units, (or 1,000 new units per year) to be constructed at prices that meet the incomes of those households in the moderate- or above-moderate-income categories.

Time Frame: 1992-1997

Responsible Agency: Private Sector Developers

Funding Source: None Needed

26. Single Family Mortgage Revenue Bonds (SFMRB's)

Program Description: Existing. Continue to encourage the participation in Single Family Mortgage Revenue Bond programs, when market conditions stimulate developer participation. SFMRB's provide tax-exempt financing to first-time homebuyers.

Time Frame: Re-evaluate annually. At this time, market-rate interest are low, so there is little developer interest in the program. However, if interest rates change, this program should be re-evaluated.

Responsible Agency: Developers, City of Modesto Housing Program Office, Planning & Community Development Department, Modesto City Council

Funding Source: Program cost borne by developer

27. Identification of Public Surplus Lands

Program Description: New. Establish a program to identify and monitor surplus public lands suitable for residential development. The surplus land could possibly be purchased by the City's Nonprofit Housing Corporation or other housing providers to develop affordable housing. The program will consist of a listing of suitable surplus lands. This listing will be available to local nonprofit housing providers, as well as other agencies interested in the development of affordable housing.

Time Frame: 1992-1994: Identify Surplus Lands & Develop List

Responsible Agency: Planning & Community Development Department, City Property Agent

Funding Source: General Fund

28. Manufactured Housing

Program Description: Existing. Continue to allow manufactured housing/mobilehomes in all residential districts provided that it meets the same standards as conventional housing and is placed on a permanent foundation.

Quantified Objective: 10 units per year, which will assist in the provision of affordable housing to those in the low-to moderate-income category.

Time Frame: Ongoing, as applications are received.

Responsible Agency: Planning and Community Development Department

Funding Source: No cost to the City

29. Second Units/Accessory Units

Program Description: Existing. Continue to encourage the use of second units in single-family residential areas where additional parking for the second unit is provided, and where the second unit neither adversely affects nor alters the character of the surrounding single-family residence.

Quantified Objective: 10 per year, for a total of 50 units by 1997

Time Frame: Ongoing, as applications are received. Annually monitor the number of applications.

Responsible Agency: Planning & Community Development Department Planning Commission

Funding Source: No cost to the City

30. Community Housing Resources Board (CHRB)

Program Description: Existing. The Federal Department of Housing and Urban Development in conjunction with the Association of Realtors, recommends the establishment of a local fair housing educational board. This board, appointed by HUD, is comprised of local people in the community interested in fair housing and acts as a referral group.

Time Frame: Ongoing. The City, in conjunction with HUD, and the Modesto Association of Realtors, shall continue working with the Modesto CHRB in order to assist the City in "affirmatively further fair housing".

Responsible Agency: Modesto Association of Realtors, HUD, City of Modesto Housing Program Office

Funding Source: Community Development Block Grants

31. Human Relations Commission

Program Description: Existing. Support the work of the Human Relations Commission, which acts a conduit for fair housing complaints and referral to enforcement agencies. The Commission acts as the first line of referral, in conjunction with the State Department of Fair Employment and Housing. Informational brochures and copies of complaint forms are available throughout the community. The complaint referral process is publicized through the Modesto Bee, the County Library, local schools, and through local housing advocacy groups. The goal of this Commission is to ensure that fair housing opportunities prevail for all City residents.

Time Frame: Ongoing. Commission meetings are held in the City Council Chambers on the third Tuesday of each month, at 5:00 p.m., and are open to the public. Notices of these meetings are posted at various community locations, including City Hall, and are published in the Modesto Bee.

Responsible Agency: City of Modesto Human Relations Commission, City Manager's Office

Funding Source: General Fund

32. Annual Report of General Plan

Program Description: New. In accordance with State law, an annual review of all elements in the General Plan must be reviewed by the City Council. This review must include the progress of the Housing Element in meeting its share of the regional housing needs, along with updates of 1990 Census data, where applicable. In order to fulfill this requirement with regards to the Housing Element, the City will monitor this element, yearly to:

- * check on program implementation
- * update 1990 Census data in sections (such as Overpayment and Income Figures)

After the Annual General Plan Report is reviewed by the City Council, the City will send a copy of this report to the HCD, within 30 days, so that they may review the Housing Element Section. Beyond this review, the City will make any necessary amendments to the General Plan to correct any inconsistencies that are found.

Responsible Agency: Planning and Community Development Department

Time Frame: Annually

Funding Source: General Fund

33. Multi-family Developer Incentive Program

Program Description: Existing. The Stanislaus County Housing Authority and nonprofit sponsors of housing for very-low-income households are exempt from Capital Facilities Fees (developer fees). For multi-family projects with density bonuses, a certain percentage of the projects must serve very-low or low-income households. For these projects, developer construction fees are levied by deferring payment of Capital Facility Fees with twenty percent required down and five years to pay. Fee waivers or deferrals pertain to only the City's fees and do not refer to school district fees.

Quantified Objective: Assist multi-family density bonus project developers with fee deferrals of Capital Facility Fees, for projects serving very-low and low-income households. Approximately 500 lower-income multi-family units, can be assisted by this program, by 1997.

Time Frame: Ongoing, as applications are received and reviewed for compliance.

Responsible Agency: Planning & Community Development Department, City Council

Funding Source: Community Development Block Grants General Fund

34. Priority Processing for Affordable Housing Projects

Program Description: New. Time is a very important factor in the cost of a housing project. It is especially important to the economic feasibility of very-low, and low-income housing, thus, the City will give such projects priority in application processing. This priority will extend to building inspections carried out during various phases of the construction process. This priority program will be reviewed by the City Attorney to ensure the legality of such a program.

Time Frame: 1992-1993- Staff to conduct a feasibility study

Responsible Agency: Planning & Community Development Department, City Building Inspection Division, City Attorney

Funding Source: General Fund

35. Reduction of Parking Standards

Program Description: Existing. The City of Modesto allows a reduction in parking standards for senior citizen housing developments. The objective is to match parking standards with need to reduce costs.

Time Frame: Ongoing, as applications are received

Responsible Agency: Planning & Community Development Department

Funding Source: None Needed

36. Streamline Application Process

Program Description: Existing. Continue efforts to streamline and improve the development-review process, as well as eliminate any unnecessary delays and restrictions in the processing of permits for applications and projects submitted.

Time Frame: Ongoing, the City will continue its periodic review of permitting processes.

Responsible Agency: Planning & Community Development Dept.

Funding Source: General Fund

37. Energy Conservation and Efficiency

Program Description: Existing. Continue to encourage development and construction standards that encourage energy conservation in residential buildings. The City of Modesto Housing Program Office, and agencies such as P.G. & E., and the Modesto Irrigation District, provide no cost or low-cost weatherization and other energy efficient programs to low-income residential households. Public service announcements and brochures are provided to reach the widest possible audience.

Quantified Objective: Assist 50 housing units annually

Time Frame: 1992-1997

Responsible Agency: City of Modesto Housing Program Office, Modesto Irrigation District, Pacific Gas & Electric Company

Funding Source: Community Development Block Grants, Energy grants, Set-aside funds provided by private energy providers

38. California Housing Rehabilitation Program

Program Description: Existing. This program offers housing rehabilitation loans as low as three percent to low-income owner/occupants; with a maximum loan amount of \$10,000.

Quantified Objective: 10 units per year, or an average of 50 units between 1992-1997. Note: This objective may be achieved in conjunction with funding from other programs.

Time Frame: Seek funding on annual basis. The City intends to promote and support applications by local nonprofits. The City may submit an application directly to the state in the near future, when a specific project has been determined.

Responsible Agency: State Dept. of Housing and Community Development, City of Modesto Housing Program office

Funding Source: State funds. (State funds are offered on a competitive basis & require leveraging of other funding sources.)

39. Distribution of Energy Savings Devices

Program Description: Existing. The City will continue to distribute smoke detectors, water heater blankets, and anti-siphon backflow devices for hose bibs, free of charge to

rehabilitation clients. Also, to continue the maintenance of safe and decent housing and by contributing to energy savings and safety.

Quantified Objective: Installation of 20 devices per year (1992-1997)

Time Frame: Distributed on an ongoing basis, to rehabilitation clients.

Responsible Agency: City of Modesto Housing Program Office

Funding Source: Community Development Block Grants

40. Education of Available Rehabilitation Programs

Program Description: Existing. Continue to educate and inform all major ethnic groups and groups representing handicaps in the community of available rehabilitation programs through neighborhood and community organizations, and by using the most effective media.

Time Frame: Brochures and information are distributed on an ongoing basis.

Responsible Agency: City of Modesto Housing Program Office
Local Neighborhood and Community Groups

Funding Source: Community Development Block Grants

41. Housing Condition Survey

Program Description: Existing. Continue to maintain a current housing condition survey of all housing units within the City. Also, an updated number of units in need of rehabilitation or replacement should be included.

Quantified Objective: Applies to all housing units within the City of Modesto.

Time Frame: Ongoing, updated on a monthly basis.

Responsible Agency: Planning and Community Development Department

Funding Source: General Fund

42. Rental Rehabilitation Program

Program Description: Existing. The City's Housing Program Office provides financial assistance to owners of rental property to rehabilitate substandard units, in order to ensure that rental units are affordable to low-and moderate-income families.

Quantified Objective: 10 low- to moderate-income rental units per year (or a total of 50 units between 1992 and 1997).

Time Frame: Ongoing, this program is monitored monthly.

Responsible Agency: City of Modesto Housing Program Office

Funding Source: HUD Rental Rehabilitation Funds, Community Development Block Grants and HOME Funds

43. Water Conservation Program

Program Description: New. The City will consider the initiation of a water conservation program. The purpose of this program would be to install and encourage the use of water conservation devices and measures in all houses rehabilitated under the City's housing rehabilitation programs.

Quantified Objective: When program is established, assist 250 households with water conservation devices.

Time Frame: By 1992-1993, consider the establishment of such a program. By 1994-1995, implement program, if established.
NOTE: A water conservation program has been integrated into the City's Housing Maintenance Program.

Responsible Agency: City of Modesto Housing Program Office, City Public Works (Water Conservation Division)

Funding Source: Community Development Block Grants

44. Emergency Home Repair Program

Program Description: Existing. Low interest loans, to repair immediate critical hazards for Modesto residents with very-low incomes, are available through the City's Housing Program Office.

Time Frame: Ongoing, as emergency requests are received.

Responsible Agency: City of Modesto Housing Program Office

Funding Source: Community Development Block Grants

45. Handicapped Barrier Removal Program

Program Description: Existing. This program provides free technical advice on removing mobility barriers from home or property. Low interest financing is also available to handicapped homeowners living in Modesto, to assist them with removing mobility barriers from their home or property.

Time Frame: Ongoing, as requests are received.

Responsible Agency: City of Modesto Housing Program Office

Funding Source: Community Development Block Grants

46. Home Emergency Loan Program (H.E.L.P)

Program Description: Existing. This program is designed to correct substandard housing conditions and eliminate health and safety hazards. Low interest loans are available through the City's Housing Program Office for homeowners with incomes that fall into the 50-80% median area income, as determined annually by HUD.

Time Frame: Ongoing, as applications are received.

Responsible Agency: City of Modesto Housing Program Office

Funding Source: Community Development Block Grants

47. Housing Maintenance Program

Program Description: Existing. This program is designed to eliminate health and safety hazards within neighborhoods targeted for rehabilitation within the City of Modesto. The City's Housing Program Office provides technical and financial assistance to property owners required to make repairs ordered by the City's Building Division. This program is mandatory to ensure that an entire neighborhood, not just a few select properties, would undergo revitalization to meet requirements of the City's Housing Code.

Quantified Objective: Annually Assist 120 very-low-and low-income target households with rehabilitation assistance, for a total of 600 units between 1992 and 1997.

Time Frame: Ongoing, this program is monitored on a monthly basis.

Responsible Agency: City of Modesto Housing Program Office

Funding Source: Community Development Block Grants

48. Coordination with HUD to Monitor At-Risk Projects

Program Description: Existing. The City of Modesto will continue to work with HUD, to ensure that any notification of potential sales of at-risk units are forwarded to the City. Any owners of projects at-risk of conversion must notify HUD of any impending sales or conversion and if they plan to prepay their mortgage and/or if they decide not renew their Section 8 contracts.

Quantified Objective: During 1992 to 1997, there are 513 Federally subsidized units potentially "at-risk" of converting to non-low-income uses. These projects will be closely monitored.

Time Frame: August 1992: El Casa Verde I and II (221(d)(3) and are subject to the Low-Income Housing Preservation Act (LIHPRHA)
1993: Cameron Villa Apartments (221(d)(4) and Parkview Christian Estates (231)
1994: Neighborhood Manor (231)
1995: Vinewood Apartments (221(d)(4)
1996: Ralston Towers (236(j)(1)

Responsible Agency: City of Modesto Housing Program Office/HUD

Funding Source: Community Development Block Grants, HOME Funds

49. Coordination with Other Agencies to Monitor At-Risk Projects

Program Description: Existing. The City of Modesto Housing Program Office will continue to work with the California Housing Partnership Corporation (CHPC). The CHPC provides support to localities and nonprofit housing corporations in addressing a wide range of preservation opportunities. The time frame below reflects a listing of Federally subsidized projects monitored by the CHPC. Policy 48 lists the number of projects "at-risk" of conversion from 1992 to 1997.

Time Frame: August 1992: El Casa Verde I and II (221(d)(3) and are subject to the Low-Income Housing Preservation Act (LIHPRHA)
1993: Cameron Villa Apartments (221 (d)(4) and Parkview Christian Estates (231)
1994: Neighborhood Manor (231)
1995: Vinewood Apartments (221(d)(4)
1996: Ralston Towers (236(j)(1)

Responsible Agency: City of Modesto Housing Program Office & CHPC

Funding Source: Community Development Block Grants

50. Monitor At-Risk Projects

Program Description: Existing. The City of Modesto Housing Program Office shall continue to monitor the at-risk assisted housing projects on annual basis. The City will keep in touch with the necessary agencies and sources, such as the Housing Authority, the owners of the at-risk units, HCD and HUD. This contact is essential and will help the city to be aware of any situation where assisted units are in danger of converting to non-low-income housing uses. The City will annually monitor the status of the Section 8 renewal contracts and HUD assisted units. The City will also continue to work with the Stanislaus County Housing Authority to develop contingency plans as needed if contracts are not renewed.

Quantified Objective: From 1992 - 1997, a total of 706 potential units "at-risk" need to be monitored. See below for annual breakdown.

Time Frame: August 1992: El Casa Verde I and II: 142 Units (221(d)(3):
[Subject to the Low-Income Housing Preservation Act
(LIHPRHA)]
1993: Cameron Villa Apartments: 68 Units (221(d)(4)
Parkview Christian Estates: 99 Units (231)
1994: Neighborhood Manor: 20 Sect. 8 Units (231)
1995: Vinewood Apartments: 75 Units (221(d)(4) 104 MF
Mortgage Revenue Bond Units At-risk 3 Density Bonus Units
At-risk
1996: Ralston Towers (236(j)(i) 84) MF Mortgage Revenue
Bond Units At-risk 2 Density Bonus units at risk

Responsible Agency: City of Modesto Housing Program Office, Redevelopment
Agency, County Housing Agency, County Housing Authority,
HCD, HUD

Funding Source: Community Development Block Grants, HOME Funds

Additional Potential
Resources: Redevelopment 20% Set-Aside Tax Increment, Stanislaus
County Housing Authority Reserves. Refer to Housing Element
Chapter 3.0, Preservation of At-Risk Housing Units.

G. STRUCTURE OF TECHNICAL APPENDIX

The Technical Appendix for the Housing segment of this General Plan has been expanded and now consists of two parts.

Appendix A is the actual 1992 Housing Element Technical Appendix left intact. For overall completeness, the 1992 Housing Element is included as Appendix B.

The City's Housing policy directions will continue to be included in the text of the General Plan. The Appendices A and B are included to provide background information.

H. HOUSING EXHIBITS

Following are the Exhibits referred to in this Chapter. All of the Exhibits were included in the 1992 Housing Element.

MODESTO CITY COUNCIL
RESOLUTION NO. 92- 273

A RESOLUTION AMENDING THE MODESTO URBAN AREA GENERAL PLAN
BY ADOPTING THE 1992 REVISION TO THE HOUSING ELEMENT

WHEREAS, the City of Modesto's existing Housing Element was last updated in 1984, and was prepared and adopted pursuant to State law at that time; and

WHEREAS, Article 10.6 of the State of California Government Code requires each local government to review its housing element periodically and to revise its housing element not less than every five years; and

WHEREAS, the updated Housing Element is a statement of current housing needs in the Modesto Urban Area and sets forth probable solutions and housing goals for such urban area; and

WHEREAS, Government Code Section 65588(b), requires that the City of Modesto adopt an updated Housing Element by July 1, 1992; and

WHEREAS, the Environmental Assessment Committee on February 26, 1992, concluded that the 1992 Housing Element would have no significant effect upon the environment and recommended adoption of a Negative Declaration; and

WHEREAS, City staff sought citizen participation in the preparation and review of the 1992 Housing Element, including a joint City Council and Planning Commission meeting, held on March 24, 1992; and

WHEREAS, the Planning Commission held a public hearing on April 20, 1992, on an amendment to the Modesto Urban Area General Plan to add the updated 1992 Housing Element, at which hearing evidence, both written and oral, was received and considered; and

WHEREAS, the Planning Commission by Resolution No. 92-17, adopted on April 20, 1992, recommended to the City Council the approval of the Negative Declaration as complete and in compliance with the California Environmental Quality Act; and

WHEREAS, the State Department of Housing and Community Development (HCD) has reviewed the 1992 Housing Element of the Modesto Urban Area General Plan and has recommended certain changes therein; and

WHEREAS, the City Council has considered HCD's findings and has incorporated them into the 1992 Housing Element, together with comments from the general public so as to substantially comply with the requirements of Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code; and

WHEREAS, the Planning Commission adopted Resolution No. 92-17 on April 20, 1992, which recommended adoption of the 1992 Housing Element of the Modesto Urban Area General Plan; and

WHEREAS, the Modesto City Council held a duly noticed public hearing, on May 19, 1992, at which time and place evidence both oral and written was received and considered; and

WHEREAS, the City Council has received and reviewed the findings of the City of Modesto Environmental Assessment Committee, which resulted in a Negative Declaration; and

WHEREAS, the City Council finds that the attached 1992 Housing Element is consistent with all other Elements of the Modesto Urban Area General Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that adoption of the 1992 Housing Element as part of the Modesto Urban Area General Plan is appropriate for the following reasons:

SECTION 1: That the Negative Declaration prepared for this project is complete and in compliance with the California Environmental Quality Act.

SECTION: 2: That the 1992 Housing Element is consistent with all other elements of the Modesto Urban Area General Plan.

SECTION 3: That the adoption of the 1992 Housing Element to replace the existing 1984 Housing Element of the Modesto Urban Area General Plan is required for the public health, safety and general welfare.

BE IT FURTHER RESOLVED by the Council that it does hereby amend the Modesto Urban Area General Plan by adopting the 1992 Housing Element, attached as Exhibit "A", which supersedes the 1984 Housing Element.

BE IT FURTHER RESOLVED that the Council rescinds City Council Resolution No. 84-462 which adopted the "Housing Element of the Modesto Urban Area General Plan".

BE IT FURTHER RESOLVED that the 1992 Housing Element substantially complies with the requirements and guidelines adopted by the State Department of Housing and Community Development, pursuant to Housing Element Law Article 10.6 and Section 50549 of the Health and Safety Code.

BE IT FURTHER RESOLVED by the Council that the Planning and Community Development Director of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the amendment to the Housing Element of the Modesto Urban Area General Plan.

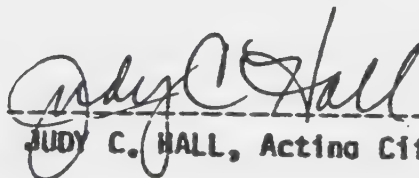
BE IT FURTHER RESOLVED that the City Clerk is hereby directed to certify a copy of said updated Housing Element of the adopted General Plan to the Board of Supervisors of the County of Stanislaus, the City Council of the City of Ceres, and the City Council of the City of Riverbank.

BE IT FURTHER RESOLVED that this resolution shall become effective 30 days after adoption.

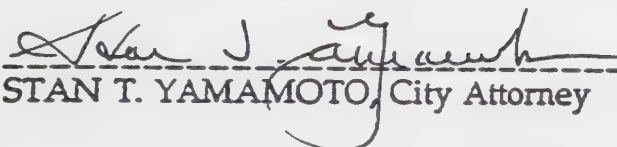
The foregoing resolution was introduced at the regular meeting of the Modesto City Council held on the 19th day of May, 1992, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Bird, Cogdill, Dobbs, Friedman, Muratore, Patterson, Mayor Lang
NOES:	None
ABSENT:	None

ATTEST:


JUDY C. HALL, Acting City Clerk

APPROVED AS TO FORM:

BY: 
STAN T. YAMAMOTO, City Attorney

WSN/BS/MB

Attachment: 1992 Housing Element



DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

DIVISION OF HOUSING POLICY DEVELOPMENT

1800 THIRD STREET, Room 430
P.O. BOX 952053
SACRAMENTO, CA 94252-2053
(916) 323-3176 FAX (916) 323-6625

May 20, 1992

Mr. Edward J. Tewes
City Manager
City of Modesto
801 Eleventh Street
P.O. Box 642
Modesto, CA 95353

Dear Mr. Tewes:

Re: Review of City of Modesto's Revised Draft Housing
Element

Thank you for submitting Modesto's revised draft housing element, received for our review on April 20, 1992. As you know, we are required to review draft housing elements and report our findings to the locality (Government Code 65585(b)).

The revised element adequately addresses all of the comments of our March 26, 1992 review letter on the February 1992 draft element. For example, the revised draft includes more complete information on the availability of residential development sites, quantified objectives by income level, and more specific program implementation timelines.

We are therefore pleased to find that, upon adoption of the revised draft, the element will continue to comply with state housing element law (Article 10.6 of the Government Code). The housing element, which now includes adequate analysis and programs for preservation of assisted units, must be adopted by July 1, 1992, pursuant to Government Code Section 65583(d).

We commend the City for successfully building consensus for an innovative approach to accommodating new development in Village One and subsequent "villages". The significant proportion of single-family lots planned for lot sizes of 5,000 square feet and less should facilitate housing affordability. As the City has been accommodating new residential construction affordable to lower- and moderate-income households, we encourage strong marketing of programs targeted to very low-income households in particular, i.e., the Multifamily Developer Incentive Program.

Mr. Edward J. Tewes
Page Two


We are pleased to note the Planning Department appears to have established methodology for monitoring progress in addressing the Regional Housing Need Allocation by unit type and income level, as reflected in Section 7 of the element. The draft element also includes exemplary accounting of local resources.

Your staff -- Marjorie Blom in particular -- has demonstrated diligent effort to understand and present housing element law in a meaningful manner for policy development by the City. The most recent revisions in response to our comments and those of the public were relevant, timely, and clearly presented, thereby facilitating our review.

We look forward to receiving a copy of the City's adopted housing element (pursuant to Section 65585(a) and (h)) and wish you success in implementing your housing element programs, particularly the new program initiatives. Please contact Cam Cleary (916) 323-3185) if we can assist your efforts.

In accordance with requests pursuant to the Public Records Act, we are forwarding a copy of this letter to the individuals listed below.

Sincerely,



Thomas B. Cook
Deputy Director

Enclosure

cc: William Nichols, Director, Planning Development
Marjorie Blom, Assistant Planner
Carol Whiteside, Resources Agency
Ricardo Cordova, California Rural Legal Assistance
Joanne Nugent, Self-Help Enterprises
Greg Steele, Stanislaus Area Association of Governments
Kathleen Mikkelson, Deputy Attorney General
Bob Cervantes, Governor's Office of Planning and Research
Richard Lyon, California Building Industry Association
Kerry Harrington Morrison, California Association of Realtors
Marc Brown, California Rural Legal Assistance Foundation
Rob Wiener, California Coalition for Rural Housing
Susan DeSantis, The Planning Center

Exhibit IV-3
Summary of Special Needs Groups

<u>Special Needs Group</u>	<u>Number of Persons/Households</u>	<u>% of Total Population / Households</u>
Elderly – ages 60+ (a)	22,915 (P)	14%
Handicapped –ages 16-64 (b)	15,530 (P)	8%
Large Families (a)	7,671 (H)	13%
Farmworkers (c)	244 (H)	.04%
Homeless (a)	248 (P)	.01%
Female-headed Households (a)	15,987 (H)	28%

Source: (a) 1990 Census, (b) City Planning Estimate, 1991, (c) SAAG Regional Housing Needs Report, 1990. NOTE: Percentages will not total 100% since each category is not mutually exclusive. A single household may appear in more than one category. (P) – # of Persons, (H) – # of Households.

Exhibit IV-4
Five-Year Inventory (1995-2000) of Low-Income Rental Units
Subject to Termination of Federal Mortgage and/or Rent Subsidies

Project Name Address, Zip	Owner Name Address, Zip	FHA Project/ Section	Section 8 Contract # and Type	Total FHA Units/Total Sec. 8 Units /Total Units	Earliest Termination Date: FHA and/or Section 8
El Casa Verde I 1513-B Robertson Rd. Modesto, 95351	W. Glenn Nobmann PO Box 235 Richmond, 94808	221 (d)(3) Mkt Rate <u>MF*</u>	Existing	FHA -110 <u>Sec. 8 -110</u> 110 Total	Sec. 8: 8/13/1992 (Extended)
El Casa Verde II 1513-B Robertson Rd. Modesto, 95351	W. Glenn Nobmann PO Box 235 Richmond, 94808	221(d)(3) Mkt Rate <u>MF</u>	Existing	FHA -32 <u>Sec. 8 -32</u> 32 Total	Sec. 8: 8/13/1992 (Extended)
Cameron Villa Apts. 160 Mark Randy Place Modesto, 95350	Consolid. Properties 2001 N. Van Ness Fresno, 93704	221(d)(4) <u>MF</u>	New Con.	FHA -68 <u>Sec. 8 -68</u> 68 Total	Sec. 8: 3/27/1998
Parkview Christian Estates 3112 Napier Drive Modesto, 95351	Parkview Christian 3112 Napier Drive Modesto, 95351	231 Elderly	Existing	FHA -99 <u>Sec. 8 -60</u> 99 Total	Sec. 8: 12/31/1998
Neighborhood Manor 1200 Woodrow Ave. Modesto, 95350	Nghbrhd Manor 1200 Woodrow Ave. Modesto, 95350	231 Elderly	Existing	FHA -104 <u>Sec. 8 -20</u> 104 Total	FHA: 4/03/2009 Sec.8: 5/22/1994
Vinewood Apartments 2600 Standiford Modesto, 95350	Am Diversified 3200 Park Center, S. Costa Mesa, 92626	221(d)(4) <u>MF</u>	New Con.	FHA -75 <u>Sec. 8 -75</u> 75 Total	Sec. 8: 3/06/1995
Ralston Tower 900 17th Street Modesto, 95354	Mdsto Affl Hsg 900 17th Street Modesto, 95354	236(J)(1) Elderly	Section 8 Existing	FHA -180 <u>Sec. 8 -109</u> 180 Total	FHA: 2/15/2025 Sec. 8: 8/13/1996

*MF= Multi-family Housing Projects

Exhibit IV-5
**Inventory of Low-Income Rental Units Subject to Termination
of Federal Mortgage and/or Rent Subsidies, 1997-2002**

Project Name Address, Zip	Owner Name Address, Zip	FHA Project/ Section	Section 8 Contract # and Type	Total FHA Units/Total Sec. 8 Units /Total Units	Earliest Termination Date: FHA and/or Section 8
Yosemite Gardens 2833 Yosemite Blvd. Modesto, 95351	Lincoln Yosemite 553 Pilgrim Drive Foster City, 94404	221(d)(4) <u>Multi-</u> <u>family</u>	New Con.	FHA -217 <u>Sec. 8 -44</u> 217 Total	Sec. 8: 5/01/2001

Exhibit IV-6
Annual Summary of At-Risk Projects to 1996-2000

<u>Year</u>	<u>Elderly</u>	<u>Non-Elderly</u>
1996	109	86
1997	--	--
1998	60	132
1999	--	2
2000	--	117
TOTAL	169	337

Exhibit IV-7
**Bond Financed and Density Bonus Projects
 At-Risk of Conversion Between 1994-2002**

Project Name and Location	Type of Program Assistance	Number of Affordable Units At-Risk	Years to Monitor	Date of Expiration
Oakhaven 2112 Floyd Avenue	MF Mortgage Revenue Bonds	10 Low-income 10 Very Low-income	10	3/1995
Westdale Commons 4121 Dale Road	MF Mortgage Revenue Bonds	44 Low-income	10	12/1/2002
Stonebridge 2800 Braden	MF Mortgage Revenue Bonds	58 Low-income	20	3/1/2006
Valley Oaks 2300 Oakdale Road	MF Mortgage Revenue Bonds	21 Low-income 21 Very Low-income	15	11/1/2000
Park Lakewood 1500 Lakewood	MF Mortgage Revenue Bonds	12 Low-income 12 Very Low-income	10	4/1/1996
Meadow Lake 1401 Lakewood	MF Mortgage Revenue Bonds	20 Low-income 20 Very Low-income	10	8/1/1995
Shadowbrook 3001 Hahn	MF Mortgage Revenue Bonds	30 Low-income 30 Very Low-income	10	8/1/1996
Live Oak 1900 Oakdale Road	MF Mortgage Revenue Bonds	66 Very-low income	15	8/1/2003
Ken Diehl Project location-	Density Bonus 1317 Carver Rd., Mod.	1 Very-low income	10	7/1995
Ken Diehl Project location-	Density Bonus 1535 Rose, Modesto	2 Very-low income	10	9/1/1996
Irwin Steinpress Project location-	Density Bonus 601 N. Emerald, Mod.	2 Very-low income	10	8/1995

Exhibit IV-8
Section 8 Moderate Rehabilitation Units
At-Risk of Conversion in 1998-99
(within the City of Modesto)

Project Location(s)	Owner Name	Earliest Date of Termination	Number of Units
406, 408, 410, 412, 414, 416, 418, 420, and 422 Sierra Ave.	Robert Redenbaugh	5/12 thru 11/17/1998	9
1433, 1433 1/2,	Domingo Sanchez	2/28/1998	2
800 Sutter (A, B, C & D)	Lee Ayers	11/03/1998	4
804 Sutter (A, B, C, & D)			4
808 Sutter (A, B, C, & D)	Lee Ayers	11/25/1998	4
812 Sutter (A, B, C, & D)			4
816 Sutter (A, B, C, & D)	Lee Ayers	10/06/1998	4
820 Sutter (A, B, C, & D)			4
824 Sutter (A, B, C, & D)	Lee Ayers	09/21/1998	4
828 Sutter (A, B, C, & D)			4
808 A, 812 A & B, 816 A & B, 820 A & B, 824 A & B, and 828 A & B Clementa	Lee Ayers	08/22/1998	11
722 7th Street (#'s 1-4)	Jeffrey Pierce	08/12/1998	4
318 and 318 1/2 Laurel	Leon Schaeffer	01/31/1999	2

Exhibit IV-9
**Total Costs for a New 1,200 Square-Foot
 Single Family Home, 1988-1990**

1,200 SQUARE-FOOT HOUSE			
	<u>1988 Cost</u>	<u>1989 Cost</u>	<u>1990 Cost</u>
Hard Cost	\$38,044	\$40,800	\$42,800
Soft Cost	11,527	12,670	13,300
Land Cost	21,400	32,000	40,000 (1)
Fees	4,204	5,104	7,604
Profit	\$6,625	6,926	7,272
TOTAL	\$81,800	\$97,500	\$110,976

(1) based on \$120,000 an acre plus improvements

Source: Building Industry Association of Central California

Exhibit IV-10
**Total Costs for a New 2,200 Square-Foot
 Single Family Home 1988-1990**

2,200 SQUARE FOOT-HOUSE			
	<u>1988 Cost</u>	<u>1989 Cost</u>	<u>1990 Cost</u>
Hard Cost	\$68,800	\$73,600	\$77,300
Soft Cost	14,900	16,400	17,200
Land Cost	21,400	32,000	40,000 (1)
Fees	5,800	6,700	9,200
Profit	12,300	13,100	13,700
TOTAL	\$123,200	\$141,800	\$157,400

(1) based on \$120,000 an acre plus improvements

Source: Building Industry Association of Central California

Exhibit IV-11
Developer Fees, 1995

<u>City CFF</u>	<u>Dwelling Unit Type</u>	<u>County PFF</u>	<u>Total</u>
\$3,819	Single-family residence	\$2,836	\$6,655
\$2,924	Mobile home, each unit of a duplex	\$1,855	\$4,779
\$2,415	Multiple family unit	\$1,855	\$4,270
\$1,920	Multiple family unit limited to occupancy by senior citizens	\$948	\$2,868
<u>Estimated Fees For New Growth Areas*</u>			
\$18,700	Single Family home		
\$13,700	Multi-family unit		

*Development fees are under study and have yet to be adpted.

Exhibit IV-12
Local Processing and Permit Procedures

<u>Application</u>	<u>Approximate Processing Time (In Weeks)</u>	<u>Application Fee in Dollars</u>
P-D Zoning	18-20	1,105.00
Amend P-D Zone pursuant to Sec. 10-2.1709(b)	18-20	1,105.00
Amend P-D Zone pursuant to Sec. 10-2.1709(a)	12-14	795.00
Rezoning	18-20	1,000.00
Plot Plan Review		
for a satellite antenna for a single-family house	9-12	135.00
second-story addition	4	230.00
all other plot plan reviews	9-12	550.00
Conditional Use Permit	9-12	795.00
Variance		
on a lot with a single-family house in the R-1, R-2, or R-3 zone	9-12	205.00
all others	9-12	845.00
Administrative Approval Revised Plans	1-2	20% of application fee
Tentative Subdivision Map	9-11	730.00
Tentative Parcel Map	9-11	660.00
Reversion to Acreage	9-11	555.00
Parcel Map Waiver	9-11	555.00
Lot Line Adjustment	4	140.00
Time Extension	9-11	125.00
Environmental Assessment		
initial study	3	535.00
staff evaluation special studies	2	475.00
Appeals	4-8	100.00
(of Planning Commission, Board of Zoning Adjustment, or staff decisions)		
Annexation	20	540.00
Abandonment		
(authority: C/C Res. No. 90-925		
abandonment of Right of Way	18-20	865.00
walkway abandonment	18-20	145.00

Exhibit IV-13
**Estimated Number of Potential Dwelling Units Within the
 Village One Specific Plan Area By Housing Type**

<u>HOUSING TYPE</u>	<u>UNITS</u>	<u>NET ACRES</u>
Ranchettes	87	44
Single-Family	5,533	873
Multi-Family		80
senior housing	600	
multi-family	1,730	
mixed-use	50	
TOTAL	8,000	995

Exhibit IV-14
Potential Dwelling Units on Existing
Vacant Subdivision Lots, Within the City of Modesto

Total Acreage	Total Number of Lots	Total Potential Dwelling Units
292.7	1,447	1,447

Exhibit IV-15
Potential Dwelling Units on Land With Approved Tentative Maps
or Other Development Approvals, Within The City of Modesto

Zoning of Approved Projects	Acreage	Housing Units
R - 1	74.9	447
R - 2	7.1	76
R - 3	16.5	96
Senior	6.2	189
TOTAL	104.6	808

Exhibit IV-16
**Potential Dwelling Units on Vacant Land
 Without Development Approvals, Within the City of Modesto**

Zone	Gross Acres	Net Acres	Average Density (dwell. units/net ac.)	Total Dwelling Units
R-1	343.1	257.3 *	6	1,544
R-2	50.6	48.1 *	14	673
R-3	61.9	58.8 *	25	1,471
TOTAL	455.6			3,687

* For land zoned R-1, 25% is assumed for street dedication. For R-2 and R-3 land, 5% street dedication is assumed. See text.

Exhibit IV-17
**Estimated Number of Potential Dwelling Units
Within the Village One Specific Plan Area**

<u>Land Use Category</u>	<u>Units</u>
Very Low Density	87
Village Residential	5,533
Multi-Family	1,730
Senior Housing	600
TOTAL	8,000

Exhibit IV-18
Development Potential of Vacant Sites in Remnant Areas

Zone	Gross Acres	Net Acres	Average Density (du/net ac.)	Estimated Total Dwelling Units
R-1	118	96.3	6	578
R-2	62.5	53.7	12	644
R-3	32	28.6	23	660
TOTAL	212.5	178.6	--	1,882
Other Residential Mobilehomes (Existing)	25 acres			247

Source: LAFCO County of Stanislaus Draft Environmental Impact Report, Claratina-Coffee (NE McHenry) Reorganization and North Beyer Park Reorganization, February 1992.

Exhibit IV-19
Buildout Estimates for the Urban Reserve

VILLAGE	COMPONENT NEIGHBORHOODS	ESTIMATED HOUSING UNITS
Village No. 2	Empire West	3,386
Village No. 2	Fairview	2,630
Village No. 3	Oakdale	2,855
	Mable	2,650
	Plainview	1,935
	Santa Fe	<u>2,733</u>
	TOTAL	10,173
Village No. 4	West Maze	1,628
	Vineyard	3,311
	Paradise West	<u>2,039</u>
	TOTAL	6,978
Village No. 5	Morrow	2,425
	Stanislaus	<u>2,599</u>
	TOTAL	5,024
Village No. 6	Kiernan	1,253
Village No. 7	Claribel	2,111
	Hetch Hetchy	<u>2,772</u>
	TOTAL	4,883
*	McKinney Colony	1,300
*	Aqueduct	1,865
*	Northwest McHenry	373
*	Northeast McHenry	1,104
*	Beyer	1,450
	GRAND TOTAL	40,419

*Remnant Neighborhoods. Because of location, size, and history, these areas are not part of any Village.

Exhibit IV-20
HOUSING POLICIES SUMMARY

Programs	Rehabilitation, New Construction, or Conservation	Number of Units/Households Assisted	Targeted Income Group
1a.1 Affordable Housing Catalog	Benefits All Types of Housing	Citywide*	All Income Groups
1a.2 Citywide Housing Trust Fund	Benefits All Types of Housing	Citywide	Very-low to Moderate Incomes
1a.3 Community Housing Coalition	Benefits the Development of Affordable Hsg.	Citywide	Lower Income Groups
1a.4 Community Reinvestment Act	Benefits the Development of Affordable Hsg.	Citywide	Very-low to Low-Income
1a.5 Comprehensive Housing Affordability Strategy	Focus on Rehabilitation	Citywide	Very-low to Low-Income
1a.6 Density Bonus	New Construction	500 Units	Very-low to Low-Income
1a.7 Land Banking	New Construction	Citywide	Very-low to Moderate
1a.8 Low/Mod. Housing Fund (Redevelopment Agency)	New Construction and Rehabilitation	Citywide	Low and Moderate
1a.9 Multi-Family Mortgage Revenue Bonds	New Construction	Citywide	Very low- to Low-Income
1a.10 Nonprofit Housing Development Corporation	New Construction and Rehabilitation	Citywide	Very-low to Low-Income
1a.11 Relocation Assistance Program (Redev. Agency)	Not Applicable	Citywide	All Income Groups
1a.12 Section 8 Certificates	New Construction	Assist 250 Households	Very-low Income
1a.13 Support Nonprofit Housing Sponsors	New Construction and Rehabilitation	Citywide	Very-low to Moderate Income
1a.14 Village One VLI Renters Assistance Program	New Construction	138 Households	Very-low Income
1a.15 Village One Hsg Trust Fund/Equity Sharing	New Construction	423 Households	101 Low-Income 322 Moderate
1a.16 "HOME" Consortium Program	Rehabilitation, Conservation, New Construction	Citywide	Very-low to Low-Income
1b.1 Federal Low-Income Tax Credits	New Construction	Citywide	Low-Income
1b.2 Handicapped Accessible Housing	New Construction and Rehabilitation	Citywide	All Income Groups
1b.3 Single Room Occupancy	New Construction	50 Units	Very-low and Low-Income

*Certain Housing Programs will apply Citywide and are not targeted towards specific households to be assisted. Nevertheless, these programs represent a significant commitment to affordable housing.

HOUSING POLICIES SUMMARY (cont.)

	Programs	Rehabilitation, New Construction, or Conservation	Number of Units/Households Assisted	Targeted Income Group(s)
1b.4	Coordination w/Agencies Serving the Homeless	Not Applicable	Citywide	Very-low to Moderate-Income
1b.5	State Bond Programs	New Construction, Rehab. & Conservation	Citywide	Very-low and Low-Income
1b.6	Transitional Housing	Conservation: Existing leased units from HUD	3 Households	Very-low to Low-Income
1c.1	First-time Homebuyer Program	New Construction and Rehabilitation	Citywide	Lower to Moderate Income Groups
1c.2	Mortgage Credit Certificates	New Construction	Citywide	Low to Moderate Income
1c.3	Market Rate Program	New Construction	5,000 Units	Moderate to Above Moderate
1c.4	Single Family Mortgage Revenue Bonds	New Construction	Citywide	Low- to Moderate Income
1d.1	Identification of Surplus Public Lands	New Construction	Citywide	All Income Groups
2a.1	Manufactured Housing	New Construction	Citywide	Low to Moderate
2a.2	Second Units	New Construction	50 Units	Lower Incomes
2b.1	Community Housing Resources Board	New and Existing Housing	Citywide	Fair Housing for All Incomes
2b.2	Human Relations Commission	New and Existing Housing	Citywide	Applies to All Income Groups
2c.1	Annual Report of the General Plan	Not applicable	Citywide	Applies to All Income Groups
2c.2	Multi-family Developer Incentive Program	New Construction	Citywide	Very-low to Low-Income
2c.3	Priority Processing for Affordable Housing	New Construction	Citywide	Very-low to Low-Income
2c.4	Reduction of Parking Standards	New Construction— Senior Citizen Projects	Citywide	Very-low to Low-Income
2c.5	Streamline Application Process	New Construction	Citywide	All Income Groups
2d.1	Energy Conservation & Efficiency	New Construction and Rehabilitation	Assist: 125 New & 125 Rehab. Units	Low-Income
3a.1	State of CA Housing Rehabilitation Program	Rehabilitation	50 Housing Units	Low-Income
3a.2	Distribution of Energy Savings Devices	Rehabilitation	Assist 100 Households	Very-low to Low-Income

Exhibit IV-21

SUMMARY OF QUANTIFIED OBJECTIVES

The table below summarizes the quantified objectives for each income category and represents the City's "good faith" effort in meeting the overall projected housing needs during the 1992-1997 planning period. The following summary represents the best uses of all available funds:

<u>INCOME GROUP</u>	<u>NEW CONSTRUCTION</u>	<u>REHABILITATION</u>	<u>CONSERVATION</u>
VERY-LOW	688	375	625
LOW	526	550	622
MODERATE	2,822	—	—
ABOVE MODERATE	2,500*	—	—
TOTAL	6,536	925	1,247

* The major source of new construction in this category will be the Village One Specific Plan area. The April 21, 1992 election, to annex this property, was successful. The quantified objective of 2,500 above moderate units is realistic, assuming favorable economic conditions.

CHAPTER V

**COMMUNITY SERVICES AND
FACILITIES**

V. COMMUNITY SERVICES AND FACILITIES

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CHAPTER V

COMMUNITY SERVICES AND FACILITIES

A. INTRODUCTION

Chapter V, Community Facilities and Services, describes the community services and infrastructure needed to support the physical community developed through Chapter III.

The policies in this Chapter provide guidance for conformance with Article 7 of the Government Code (Administration of General Plans), particularly Section 65401 (Review of Public Works Projects for conformity with the Plan) and Section 65402 (Acquisition and Disposal of Real Property).

The distinctions between Community Services and Community Facilities are not critically important; they are distinguished in this Chapter for categorical purposes only. The important issue is that both Services and Facilities, as Community Infrastructure, are provided concurrent with need, to support the physical development, and ongoing maintenance, of the community. For this reason each of the Sections below are tailored for use in either the Baseline Developed Area, or the Planned Urbanizing Area, as those concepts are defined in Chapter II, Community Growth Strategy.

B. CIRCULATION AND TRANSPORTATION

1. Overview

The Circulation Element was first required by state law in 1955 (Government Code Section 65302(b)). Its purpose was to develop a balanced, multi-modal transportation system, within local jurisdictions. Modesto has discussed circulation in the early General Plans of 1959 and 1965. In 1974 a combined Land Use and Circulation Elements to the Modesto Urban Area General Plan was adopted. In 1986, the Circulation Element updated the circulation portion of the 1974 Land Use and Circulation Elements.

This Section presents, as required by Section 65302(b) of the Government Code, "the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities, all correlated with the land use element of the plan [Chapter III of this General Plan]."

2. Circulation and Transportation Diagram

Figure V-1 presents the Circulation and Transportation Diagram which describes the proposed general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public facilities within the Modesto

Urban Area. The Diagram conforms to Section 65302(b) of the Government Code, and is hereby adopted and incorporated into the Modesto Urban Area General Plan.

The word "Diagram" is distinguished from "Map" in the context of a California Attorney General Opinion (67 OPS.CAL.ATTY.GEN.75 (3/7/84)), to provide a certain limited degree of flexibility in applying the Circulation and Transportation Designations to specific streets.

3. Circulation and Transportation Designations (shown on Diagram)

With the exception of local streets, the following Designations, along with typical right-of-way requirements, are presented on the Circulation and Transportation Diagram. These Designations conform to Section 65302(b) of the Government Code, and are hereby adopted and incorporated into the Modesto Urban Area General Plan.

- a. Freeway - This classification defines the highest volume, total access-control highways with high design speeds (55-65 mph). Freeways are an important part of the transportation network for urban, inter-city, and inter-regional movement of people and goods.
- b. Expressways - This classification defines high volume, access-controlled roadways which do not allow for pedestrian or bicycle movements in the travelled way. There are three expressway classes as described below and illustrated on Figure V-2:

- (1) "Class A" Expressway is an access-controlled roadway with design speeds of 50-55 mph. The typical right-of-way is 110 or 135 feet (4 or 6 lanes, respectively) between intersections and 175 or 300 feet at interchanges (4 or 6 lanes, respectively).
- (2) "Class B" Expressway is defined as a partial access-controlled roadway with signalized intersections at major streets and right-turn-only access to collector streets. The design speed will be 45-50 mph. The typical right-of-way is 110 or 135 feet (4 or 6 lanes, respectively) between intersections and 134 or 159 feet at intersections (4 or 6 lanes, respectively).

State Highway 219 (Kiernan Avenue, between Highway 99 and McHenry Avenue) will be a Class B expressway, with a right-of-way of 181 feet as specified by Caltrans.

- (3) "Class C" Expressway is defined as a limited access-controlled roadway. The design speed is 40-45 mph. The typical right-of-way is 110 or 135

feet between intersections (4 or 6 lanes, respectively) and 134 or 159 feet at intersections (4 or 6 lanes, respectively).

Note: Class B or C Expressways on limited rights-of-way may be 100 feet for four lanes and 124 feet for six lanes, respectively.

- c. Arterial Streets - This classification defines moderate-to high-volume streets with a primary function of providing mobility and a secondary function of land access. Arterial streets serve the major centers of activity of the urban area and provide mobility of people and goods. There are two classes of arterial streets:

- (1) Principal Arterial streets have six travel lanes with no bicycle lanes. The design speed is 45 mph. The typical right-of-way is 114 feet.
- (2) Minor Arterial streets have four travel lanes. Minor arterials can provide for bicycle lanes. The design speed is the same as principal arterials. The typical right-of-way is 100 feet.

- d. Collector Streets - This classification defines low-traffic-volume streets which can also serve pedestrian and bicycle traffic. Collector streets provide traffic circulation within residential neighborhoods, and commercial and industrial areas.

Collector streets distribute trips from the arterials through the area to their ultimate destination and collect traffic from local streets and channel it into the arterial streets. There are two classes of collector streets:

- (1) A major collector street is a four-lane facility, with a design speed of 25-35 mph on a typical right-of-way of 84 feet without bicycle lanes or 96 feet with two, 6-foot bicycle lanes.
- (2) A minor collector street is a two-lane facility, with a design speed of 25-30 mph on a typical right-of-way of 60 feet without bicycle lanes or 72 feet with two, 6-foot bicycle lanes.

- e. Local Streets - This classification applies to low-volume streets which are two-lane roadways. Local streets primarily permit direct access to abutting land uses and connections to the higher order roadways. Local streets offer the lowest level of mobility and usually contains no bus routes. The right-of-way should be narrow enough, and design speeds low enough, to discourage through traffic.

4. Policies Relating to Street Designations

- a. State Highway - This classification defines any street which is acquired, laid-out, constructed, improved or maintained as a state highway pursuant to constitutional or legislative authorization. The street can be a freeway, expressway, arterial or other roadway classification. The right-of-way, design and construction on a State Highway should follow state standards. The improvement and addition of freeway interchanges should be made when required by future traffic demands.
- b. Streets in Comprehensive Plans - Any Comprehensive Plan may experiment with differing rights-of-way and cross sections for the five Circulation and Transportation Designations.

5. Circulation and Transportation Policies - Overall

- a. The streets and highways system should be coordinated with Caltrans', the County's, and other jurisdictions' existing facilities and plans. The adoption of a regional expressway system by Stanislaus Area Association of Governments (SAAG) should be supported, and the components of the regional system which lie within the City's Sphere Of Influence should be incorporated into the City's Circulation and Transportation Diagram. The expressway system should be designed to accommodate mass transit.
- b. Transportation Control Measures (TCMs) should be implemented where feasible or mandated by other agencies, to reduce vehicle miles traveled, vehicle idling, or traffic congestion. Alternatives to the drive-alone auto mode, such as mass transit, ride sharing, and telecommuting should be encouraged. In addition, the City should encourage innovative means to reduce traffic congestion and enhance air quality, such as teleconferencing centers, fiber optic communication networks, and trip reduction programs.
- c. Transportation Demand Management (TDM) measures will be encouraged to directly affect trip makers' choice of travel mode and the routes and time of day for trips. Transportation Demand Management has as its purpose the reduction in the number of vehicle trips being made on the street network. Typical types of TDM measures would be promotion of transit, car pooling or van pooling, and pricing of parking to make these alternative modes of transportation more attractive and cost competitive.
- d. The City hereby defines and authorizes the use of a "Plan Line." The Plan Line is a process which specifically defines the location of center lines, alignments, rights-of-way, cross-sections and intersections for future or proposed roadways. The purpose of a Plan Line is to provide adequate right-of-way for future growth

needs and to protect the right-of-way from encroachment. Adopted Plan Lines shall be incorporated into development plans to define specific requirements for dedicating the right-of-way for street purposes and to implement Circulation and Transportation Policies of the General Plan.

- e. The highest possible levels of traffic service should be maintained on City roadways, consistent with the financial resources reasonably available to the City and without unreasonably burdening property owners or developers with excessive roadway improvement costs.

Data from the General Plan Traffic Analysis, described in The Traffic Appendix of the Master Environmental Impact Report, as updated from time-to-time, shall be utilized to evaluate the effectiveness of traffic mitigation measures adopted by the City Council.

- f. Where safety and traffic operations are not compromised, in-fill and redevelopment projects will be exempted from the City's street width and right-of-way standards if those standards exceed the original standards under which the adjacent streets were constructed. This exemption shall not apply to other street improvement standards, such as, but not limited to, drainage, structural requirements, curbs, gutters, sidewalks, and lighting. This exemption shall not apply on State Highways or where Plan Lines have been adopted.
- g. The City's circulation system should facilitate a rapid response by emergency vehicles and should accommodate school buses. Factors should include adequate road widths and corner radii in street designs to ensure that the appropriate fire equipment and school buses can negotiate City streets.
- h. Development should be designed in a way that will encourage walking as an alternative mode to the automobile for transportation. Safe and convenient pedestrian facilities should be provided in residential, commercial and other areas when necessary.
- i. The use of the bicycle shall be promoted as an alternative mode of transportation. An adequate and safe bicycle system should be provided to connect residential areas with shopping and employment areas in and adjacent to the City for present and future transportation needs. Right-of-way for bicycle usage should be considered in the planning of new streets and in street improvements. Facilities for mode transfer from bicycle to park-and-ride lots, transit, and rail should be considered and provided when necessary.
- j. The City should encourage the effort to make a safe, efficient and effective rail service possible by increasing the frequency, speed, and comfort of its passengers.

The City recognizes and encourages a safe and convenient interface among rail, bus, automobile and non-motorized traffic. The following forms of rail service are particularly encouraged:

- (1) Amtrak. The City supports the relocation of the Riverbank Station to Modesto on the north side of Parker Road.
 - (2) Inter-regional Rail Service. The City supports the rerouting of the San Joaquin's rail service to serve the downtown area and the intermodal facilities and creation of passenger commute rail service from Modesto to San Joaquin County, then to Sacramento and over the Altamont Pass to the Bay Area.
 - (3) Light Rail Transit. The City should support a light rail transit system when the urban form warrants it and where it is feasible. Mass transit, including light rail, should be considered for the Virginia Avenue corridor of the Union Pacific rail lines, to connect downtown with future commercial and industrial development in the northern portion of the Modesto Urban Area.
 - (4) Freight Rail. The City encourages the extended and increased use of rail as an alternative transportation mode for the movement of goods. In addition, the City supports the intermodal linkage of "truck on rail" as a technique for reducing through-truck traffic on highway corridors.
 - (5) Any necessary crossings of the Santa Fe Railroad corridor shall be closely coordinated with the Atchison, Topeka and Santa Fe Railway Company. In 1995, the AT&SF Company indicated that it would oppose at-grade crossings, but would cooperate fully with the construction of any grade separations over or under Santa Fe's rail line.
- k. Neighborhood street networks will be provided in new development, which permit local trips to be completed as much as possible without the use of collector streets and arterial streets.
- l. The City should carry out a citywide transportation improvement plan to accommodate peak hour traffic flow on arterial streets and major collector streets. This plan may include additional lanes, striping, and turning pockets.
- m. The City will work with Caltrans to promote the application of advanced technology to help manage congestion, and enhance roadway capacity and safety. Known as "Intelligent Transportation Systems" (ITS), the program includes the following components:

- (1) Advanced Traffic Management Systems (ATMS), which maximize capacity of the transportation system, and involves using technology to manager traffic flow, disseminate real-time travel information to travelers, improving emergency response, and coordinate inter-agency traffic management.
- (2) Advanced Traveler Information Systems (ATIS), which provides on-board navigation that can provide congestion and accident information and alternative travel routes.
- (3) Commercial Vehicle Operation (CVO), which restricts commercial vehicles from operating during commute peak hours, and helps transportation companies track their vehicles.
- (4) Advanced Vehicle Control Systems (AVCS), which use on-board and in-road guidance systems to optimize vehicle speed and movement.

- n. The City shall develop guidelines for private property access to the expressway, arterial and collector street system. These guidelines will provide for reasonable, safe and coordinated driveway access while maintaining smooth and safe traffic flow along the City's major streets. These guidelines will address the number, location, design and operation of driveways for each class of roadway.

6. Circulation and Transportation Policies - Redevelopment Area and Baseline Developed Area

- a. Individual development projects that could affect conditions on traffic facilities predicted by the General Plan Traffic Analysis to achieve LOS "D" or better in the year 2025 (as shown in the Traffic Appendix of the Master EIR) cannot cause, without further study, conditions to be worse than LOS "D" at any time prior to the year 2025. If implementation of this Level of Service is impractical or infeasible, subsequent environmental review, including a Comprehensive Traffic Study, will be required.

The subsequent environmental review may take the form of:

- (1) A mitigated negative declaration, if feasible mitigation measures or alternatives will be incorporated to avoid the worsening of the LOS standards presented in the Traffic Appendix of the Master EIR. (Section 21157.5(a) of CEQA.)

- (2) A Focused EIR, if mitigation measures cannot avoid the worsening of the LOS Standards presented in the Traffic Appendix of the Master EIR. (Section 21157.5(b) of CEQA.)

The Comprehensive Traffic Study shall include appropriate measures to update the General Plan Traffic Analysis for all subsequent Comprehensive Plans, and for development within the affected Baseline Developed Area and Redevelopment Area.

- b. Individual development projects that could affect conditions on traffic facilities predicted by the General Plan Traffic Analysis to achieve LOS "E" (as shown in the Traffic Appendix of the Master EIR) shall not, without further study, cause conditions on those facilities to exceed LOS "E" at any time prior to the year 2025. If implementation of this Level of Service is impractical or infeasible, subsequent environmental review, including a Comprehensive Traffic Study, will be required.

The subsequent environmental review may take the form of:

- (1) A mitigated negative declaration, if feasible mitigation measures or alternatives will be incorporated to avoid the worsening of the LOS standards presented in the Traffic Appendix of the Master EIR. (Section 21157.5(a) of CEQA.)
- (2) A Focused EIR, if mitigation measures cannot avoid the worsening of the LOS Standards presented in the Traffic Appendix of the Master EIR. (Section 21157.5(b) of CEQA.)

The Comprehensive Traffic Study shall include appropriate measures to update the General Plan Traffic Analysis for all subsequent Comprehensive Plans, and for development within the affected Baseline Developed Area and Redevelopment Area.

- c. Individual development projects that could affect conditions on traffic facilities predicted by the General Plan Traffic Analysis to achieve LOS "F" (as shown in the Traffic Appendix of the Master EIR) shall not, without further study, cause further substantial degradation of conditions. Further substantial degradation shall be defined as an increase in the peak hour vehicle/capacity (v/C) ratio of 0.05 or greater for roadway segments or intersections whose v/C ratio is estimated to be 1.00 or higher in 2025 by the traffic model. If implementation of this Level of Service is impractical or infeasible, subsequent environmental review, including a Comprehensive Traffic Study, will be required.

The subsequent environmental review may take the form of:

- (1) A mitigated negative declaration, if feasible mitigation measures or alternatives will be incorporated to avoid the worsening of the LOS standards presented in the Traffic Appendix of the Master EIR. (Section 21157.5(a) of CEQA.)
- (2) A Focused EIR, if mitigation measures cannot avoid the worsening of the LOS Standards presented in the Traffic Appendix of the Master EIR. (Section 21157.5(b) of CEQA.)

The Comprehensive Traffic Study shall include appropriate measures to update the General Plan Traffic Analysis for all subsequent Comprehensive Plans, and for development within the affected Baseline Developed Area and Redevelopment Area.

- d. Designated City staff will review future development project proposals within the Baseline Developed Area, on a case-by-case basis. The following criteria will be applied to each proposal, and a determination made by the Public Works and Transportation Director, regarding the acceptable or appropriate level of project impact on the circulation network.
 - (1) For proposed development projects that conform to the General Plan-approved land use for the site, it is assumed that the adopted performance standards for the circulation system within the area of impact will be maintained. For such projects, the designated City staff will establish an appropriate scope of study for a "Site Access Study" which may address project impacts to adjacent or nearby intersections, as described in Policies 6-a through 6-c.
 - (2) The "Site Access Study" shall, at a minimum, analyze, and resolve the following:
 - (a) impacts to roadway intersection that are adjacent to the project site.
 - (b) impacts to other intersections considered to have a key role in regulating access to the project site or substantial traffic flow between the project site and a key arterial roadway.
 - (c) impacts to and design needs for access between internal and off-site vehicular circulation, and linkages to off-site bicycle/pedestrian circulation systems, and transit services.

- (d) on-site parking needs and impacts to off-site parking, when applicable.
 - (e) other operational or safety-related concerns and issues, including site access.
- (3) The proposed development project will be designed to incorporate all recommendations of the "Site Access Study."
- (4) If implementation of the definitive recommendations of the Site Access Study is impractical or infeasible, a Focused Environmental Impact Report, including a Comprehensive Traffic Study will be required. That Study shall include appropriate measures to update the General Plan Traffic Analysis for all subsequent Comprehensive Plans, and for development within the affected Baseline Developed Area and Redevelopment Area.
- (5) For projects which do not conform to the General Plan-approved land use, further, supplemental environmental review may be necessary, in accordance with Section 22157.1(d) of the Public Resources Code.
- e. Data from the General Plan Traffic Analysis, described in the Traffic Appendix of the Master EIR, shall be utilized to evaluate the effectiveness of the Policies presented above.

7. Circulation and Transportation Policies - Planned Urbanizing Area

- a. Prior to the adoption of each Comprehensive Plan, a "Comprehensive Traffic Study" shall be prepared, to the satisfaction of the Public Works Director, and be included in a Focused EIR for each respective Comprehensive Plan.
- b. The Comprehensive Traffic Study shall include the following components:
 - (1) Sufficient analysis and mitigation measures to ensure that the Level of Service "D" Standard is maintained on all Comprehensive Plan area roadways and intersections. A determination of which external links and intersections require study and impact assessment shall be made by the Public Works and Transportation Director.
 - (2) If the identified mitigation measures cannot feasibly achieve the traffic performance standard for internal and external roadways in the opinion of the Public Works and Transportation Director, then the Comprehensive Traffic Study shall include appropriate measures to update the General

Plan Traffic Analysis and findings for all subsequent Comprehensive Plans, and for development within the Baseline Developed Area and Redevelopment Area.

- c. For individual proposed projects that conform to a Comprehensive Plan's land use designations (for amount and type of land use) a subsequent, Site Access Study may be prepared. Each Site Access Study should, at a minimum, focus on the following issues:

- (1) Impacts to roadway intersections that are adjacent to the project site.
- (2) Impacts to and design needs for access between internal and off-site vehicular circulation, and linkages to bicycle/pedestrian circulation systems and transit services.
- (3) On-site parking needs.
- (4) Other safety-related concerns.

Conceivably, the Comprehensive Traffic Study may contain sufficient detail to obviate some or all portions of a "Site Access Study."

- d. Data from the General Plan Traffic Analysis, described in the Traffic Appendix of the Master EIR, shall be utilized to evaluate the effectiveness of the Policies presented above.
- e. For projects which do not conform to the General Plan-approved land use, further, supplemental environmental review may be necessary, in accordance with Section 21157.1(d) of the Public Resources Code.

8. Implementation

- a. From time to time, the City may adopt subsequent master plans, short-range transit plans, or other policy documents to implement some or all of the policies listed above. These subsequent policy documents, such as the Capital Improvement Program and individual street construction projects, will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

C. COMMUNITY FACILITIES - WATER

1. Overview

Water is probably the most critical natural resource in California. The City of Modesto has teamed up with the Modesto Irrigation District (MID) and Del Este Water Company to develop a new surface water supply, ultimately a 60 million-gallon-per-day (MGD) water treatment plant. This will be used to stabilize the groundwater overdraft the City was experiencing. This conjunctive groundwater-surface water management plan will allow Modesto to continue to serve current customers and plan for future expansion. A similar strategy is being developed with Turlock Irrigation District (TID) for the Modesto Urban Area south of the Tuolumne River.

The City is also participating in the drafting of a Regional Groundwater Management Plan for the two groundwater basins it straddles. The municipal and irrigation water purveyors are developing the groundwater management plans for the mutual beneficial management of the limited groundwater resources.

This Section addresses the requirements of Government Code Section 65302(d) pertaining to the "conservation, development, and utilization of ... water."

2. Water Policies - Baseline Developed Area

- a. During review of all proposed development, the City shall require, as a condition of approval, that all developments reduce their potable water demand. The City should refer to Table 5-1 in the Final Master Environmental Impact Report for potential techniques to reduce potable water demand.
- b. The City of Modesto will encourage the optimum beneficial use of water resources within the City. The City shall strive to maintain an adequate supply of high quality water for urban uses.
- c. The City of Modesto will strive to stabilize groundwater levels and eliminate groundwater overdraft, as part of a conjunctive groundwater-surface water management program. The City shall view regional water resources, such as groundwater, surface water and recycled wastewater, as an integrated hydrologic system when developing water management programs.
- d. The City of Modesto will be the sole provider of municipal and industrial water services to the area within the City's Sphere of Influence. The City will cooperate with the overlying agricultural water providers, MID and TID, and with adjacent municipal and industrial providers for the mutually beneficial management of the

limited water resources. The City will also take into consideration its public trust duty with regard to environmental uses of water resources.

- e. Water facilities will be constructed, operated, maintained and replaced in a manner that will provide the best possible service to the public, given the financial abilities and constraints of the City and of the private sector alike.
- f. The City will continue to establish guidelines, policies and programs to implement water conservation to the maximum extent feasible. The City shall strive to maximize the utilization of water resources when developing and implementing its Economic Development Strategy.
- g. The City supports the local management of groundwater resources, rather than state regulation or adjudication. The City will adopt a Groundwater Management Plan in accordance with AB 3030, and in cooperation with the adjacent and overlying water providers within the groundwater basins the City occupies.

3. Water Policies - Planned Urbanizing Area

- a. All of the Water Policies for the Baseline Developed Area apply within the Planned Urbanizing Area.
- b. The City of Modesto shall coordinate land development projects with the expansion of water treatment and supply facilities.

4. Implementation

From time to time, the City may adopt subsequent plans or policy documents such as a Groundwater Management Plan or a Water Master Plan to implement some or all of the policies listed above. These subsequent policy documents will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

D. COMMUNITY FACILITIES - WASTEWATER

1. Overview

Wastewater collection and treatment is an essential community service to protect the public health and environment and to foster economic vitality. The objective of the City's wastewater system is to meet increasingly strict wastewater regulations in a cost-effective manner. As water becomes increasingly scarce in California, reclaiming wastewater will create opportunities to optimize the region's water resources. Similar opportunities exist

for the beneficial reuse of biosolids and methane, and other residuals of wastewater treatment.

This Section addresses the requirements of Government Code Sections 65302(a), relating to liquid waste disposal facilities and 65302(d), relating to the reclamation of water and the "prevention and control of the pollution of streams and other waters." Wastewater will be considered as one part of integrated regional water resource management.

2. Wastewater Policies - Baseline Developed Area

- a. To protect public health and the environment, the City of Modesto will maintain the standards for effluent water and biosolids, from Modesto's wastewater treatment facilities, as established by the Central Valley Regional Water Quality Control Board, in compliance with the Federal Clean Water Act, the State Porter-Cologne Act, and their implementing regulations, current and future.
- b. Wastewater facilities will be constructed, operated, maintained and replaced in a manner that will provide the best possible service to the public, given the financial abilities and constraints of the City and of the private sector alike. In developing implementation plans, consideration shall be given to rehabilitation of essential existing facilities, expansion for current excess demand, and the timely expansion for future demand.
- c. The City's wastewater system capacity will be allocated to existing and future residential, commercial and industrial customers. Discharges from environmental cleanup sites may be issued conditional discharge permits subject to the availability of excess treatment capacity. In accordance with federal and state regulations, all discharges to the wastewater system may not, or may not threaten to, upset, interfere, or pass through the wastewater system.
- d. Subject to the approval of the Stanislaus Local Agency Formation Commission, the City of Modesto and the Salida Sanitary District will be the sole providers of wastewater services to the area within the City's Sphere Of Influence and sewer service area.
- e. The City will encourage the regional beneficial reuse of reclaimed water. The City is committed to development of a full reclamation program in the long term.
- f. The City should strive to use land application of biosolids as the most environmentally beneficial reuse of this resource, rather than the disposal options of landfilling or incineration.

- g. The City should establish odor buffer zones around primary and secondary wastewater plants, thereby minimizing the likelihood of odors impacting new residential or commercial development.
- h. The City should utilize source control and demand management among its tools for accomplishing the most cost-effective wastewater management, protective of public health and the environment.

3. Wastewater Policies - Planned Urbanizing Area

- a. All of the Wastewater Policies for the Baseline Developed Area apply within the Planned Urbanizing Area.
- b. The City of Modesto will require each new development project to be served with public sanitary sewers.
- c. The City of Modesto will coordinate land development proposals with the expansion of wastewater facilities.

Figure V-3 presents a diagram which indicates the sanitary sewer trunks necessary to serve each Comprehensive Planning District listed in Chapter III.

4. Implementation

From time to time, the City may adopt subsequent plans or policy documents, such as a Wastewater Master Plan, to implement some or all of the policies listed above. These subsequent policy documents will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

E. COMMUNITY FACILITIES - STORM WATER

1. Overview

Modesto's storm drainage facilities have had a unique history, but changing regulations require a change in how drainage is provided. In 1994, Modesto complied with new federal storm water runoff quality regulations by obtaining its first National Pollutant Discharge Elimination System (NPDES) storm water permit, which requires many new Best Management Practices to be implemented to control runoff quality. Two-thirds of the City is served by rockwells which are regulated by federal underground injection control regulations. Increasingly strict regulations and unacceptable life-cycle costs for rockwells have led the way to a new strategy for storm water management: positive pipe lines, detention and/or retention basins to maximize groundwater recharge and water quality; and limited discharge to surface streams. Rockwells will be allowed only in infill areas isolated from surface discharge routes.

This Section addresses the requirements of Government Code Section 65302(d) pertaining to the "conservation, development and utilization of natural resources, including water and its hydraulic forces..." and the "prevention and control of the pollution of streams and other waters." This section addresses the management of both the storm water quantity and quality as it relates to both surface waters and groundwater. Storm water will be considered as one part of integrated regional water resource management.

2. Storm Water Drainage Policies - Baseline Developed Area

- a. Two-thirds of the Baseline Developed Area is served by underground injection of urban runoff, commonly termed "rockwells". New rockwells will be discouraged within the Baseline Developed Area. Instead, new storm drainage in the Baseline Developed Area shall be by means of positive storm drainage systems, unless the proposed service area is so isolated from surface waters that it is infeasible to provide positive drainage.

The new storm drainage facilities shall consider the drainage facility requirements presented in Table 9-1 of the Final Master Environmental Impact Report. This policy applies to both positive storm drainage systems, and to new rockwells (which are generally discouraged) in the Baseline Developed Area.

- b. The Modesto Irrigation District shall be consulted during the preparation of drainage studies required by this General Plan.
- c. The City of Modesto shall prevent water pollution from urban storm runoff as established by the Central Valley Regional Water Quality Control Board for surface discharges and Environmental Protection Agency for underground injection.
- d. Storm water drainage facilities shall be constructed, operated, maintained and replaced in a manner that will provide the best possible service to the public, given the financial abilities and constraints of the City and of the private sector alike. In developing implementation plans, consideration shall be given to rehabilitation of existing facilities, remediation of developed areas with inadequate levels of drainage service, and the timely expansion of the system for future development.

3. Storm Water Drainage Policies - Planned Urbanizing Area

- a. All of the Storm Water Drainage Policies for the Baseline Developed Area apply within the Planned Urbanizing Area.

- b. The City of Modesto shall require each new development area to be served with positive storm drainage systems. A positive storm drainage system may be comprised of catch basins, pipe lines, channels, recharge/detention basins and pumping facilities which discharge storm water to surface waters of the state. The positive storm drainage facilities shall consider the requirements presented in Table 9-1 of the Final Master Environmental Impact Report.
- c. The City of Modesto shall require positive storm drainage facilities in the Planned Urbanizing Area to accomplish storm water recharge to groundwater of 80% of the average annual runoff. Recharge shall be typically accomplished at recharge/detention basins, designed to be in compliance with applicable federal and state water quality regulations for both groundwater and surface water. The City shall update its Drainage Master Plan to cover the entire area within the City's Sphere of Influence.
- d. New areas shall be designed so that runoff in excess of groundwater recharge in Policy 3.c. shall be discharged to waters of the state in a manner not exceeding the undeveloped storm hydrograph.

4. Implementation

A storm water management program (SWMP) should be prepared by the City, potentially incorporating those measures listed in Table 9-4 in the Master Environmental Impact Report. The storm water management program will be considered an "anticipated subsequent project" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

F. COMMUNITY FACILITIES - MODESTO CITY-COUNTY AIRPORT

1. Overview

Section 65302.3 of the Government Code requires the City's General Plan to be consistent with the Airport Land Use Plan for the Modesto City-County Airport. This Airport Land Use Plan was adopted by the Airport Land Commission on August 3, 1978, in accordance with Section 21675 of the Public Utilities Code.

2. Modesto City-County Airport Policies - Baseline Developed Area

Since the Airport is located in the Baseline Developed Area, the following policies apply to the Airport and the area surrounding it.

- a. The City encourages aviation services at the Modesto City/County Airport and promotes airline service which meets the present and future needs of the

community. The City should pursue greater inter-regional air service to the extent that it is economically viable.

- b. Land use around Modesto City-County Airport will be in accordance with the Stanislaus County's Airport Land Use Commission Plan (ALUC) adopted in accordance with Section 21676 of the Public Utilities Code. The ALUC plan provides for the orderly growth of the Airport and the area surrounding the Airport within the jurisdiction of the Airport Land Use Commission, and will safeguard the general welfare of the inhabitants within the boundary of influence and the public in general.
- c. Mitigation measures suggested by the Airport Master Plan and related documents should be considered at the implementation of inter-regional air service, including a voluntary noise reduction program for residential units impacted by noise levels that exceed acceptable state standards.

3. Implementation

From time to time, the City may adopt subsequent development plans or policy documents to implement some or all of the policies listed above. These subsequent policy documents, including revisions to the Airport Land Use Plan, the Airport Master Plan, and various development approvals in or near the Airport, will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

G. COMMUNITY FACILITIES - OPEN SPACE AND PARKS

1. Overview

An Open Space Plan is mandated by Section 65563 of the California Government Code. This mandate recognizes that open space is a limited and valuable resource which must be conserved wherever possible. In Modesto, open space is provided through a comprehensive network of regional, community, and neighborhood parks.

Community facility policies and standards should be considered flexible enough in order to adapt to new trends, take advantage of new or different recreation or open space opportunities, develop special facilities, recycle old parks and fine tune facilities and programs to unique circumstances and conditions. Standards may deviate from minimum when special opportunities or needs arise that would provide enhanced facilities or services to the community.

Regionalization and consolidation of the planning and management of Community Facilities and Services will be continually evaluated as all the communities in Stanislaus County continue to grow and require similar facilities and services.

The "Tuolumne River", "Dry Creek" and " Stanislaus River" Comprehensive Planning Districts described in Chapter III, present focused open space policies applicable in those open space areas. Additional Open Space Policies are presented in Chapter VII.

2. Open Space and Parks Policies - Baseline Developed Area

- a) All acreage standards are expressed as net acreage. This means that additional acreage must be added to the net park acreage for off-site requirements, such as street right-of-way, in order to satisfy the minimum standard. Minimum acreage standards will be increased if necessary to accommodate the development standards for the park.
- b) Figure V-5 presents Park Planning Areas for the Baseline Developed Area. With regards to acreage, service area, location and street frontage standards, the existing park system shown on Figure V-4 shall be considered adequate and acceptable, as is, with the following exceptions, by Park Planning Area designation:

- Bret Harte
- Shackleford
- Tide Water Industrial
- Burbank
- Maze Wren
- Woodland
- College West
- North East McHenry
- Empire East
- Empire West
- Airport

Within these Park Planning Areas, the open space and parks system is NOT considered adequate and acceptable as is and the City will endeavor to develop facilities in accordance with all of the Open Space and Parks policies and Community and Neighborhood Park standards that apply to the Baseline Developed Area. However, the City recognizes and accepts that it may not be possible to conform precisely to all policies and meet all standards in total because of prior development patterns and policies that were not under the City's control.

- c. The City will endeavor to plan, acquire, and develop parks and recreation facilities adjacent to schools in order to maximize the potential for joint use of adjoining City and School District open space and recreation facilities.
- d) With the exception of School District open space, only acreage owned or otherwise controlled exclusively by the City in perpetuity and planned to be developed and operated for the express and primary purpose of providing recreation facilities as set forth in the Neighborhood and Community Park standards outlined in the General Plan, will count toward minimum acreage standards. Acreage planned and developed primarily for other purposes such as trails and elements of drainage systems shall not count toward meeting minimum standards for Neighborhood and Community Parks.

e) Baseline Developed Area - Neighborhood Park Standards

The City will endeavor to provide at least one neighborhood park within each Park Planning Area. The park should be centrally located within the Park Planning Area and have a service radius of one half to three quarters of a mile. The park should have one collector street frontage and the remaining sides should front on residential streets.

The minimum size for a neighborhood park shall be **SEVEN ACRES** or the total acreage based on **TWO ACRES OF PARK LAND PER ONE THOUSAND POPULATION** within the Park Planning Area, whichever is greater.

When a public elementary or junior high school or schools are located within a Park Planning Area, up to five acres of open space, at each school which is developed, maintained and is accessible to the public for outdoor recreation activities, may count toward satisfying the Neighborhood Park standard of two acres of Neighborhood Park land per one thousand population within the Park Planning Area. However, regardless of the number of public school open space acres within a Park Planning Area, the City will provide a minimum of one City neighborhood park of seven acres.

f) Baseline Developed Area - Community Park Standards

The Community Park Service Area is that area within a radius of approximately one to one-and-one-half miles of the park site. The park should have major street frontage and the remaining sides should front on residential streets.

The minimum size for a community park should be **TWENTY-FIVE ACRES** or the total acreage based on **ONE ACRE OF PARK LAND PER ONE**

THOUSAND POPULATION within the Community Park Service Area, whichever is greater.

When a public high school is located within the same service radius as the community park, up to 15 acres of school open space, which is developed, maintained and is accessible to the public for outdoor recreation activities, may count toward satisfying the overall standard of one acre of Community Park land per one thousand population within the Community Park Service Area. However, regardless of the number of public high school open space acres within the Community Park Service Area, the City will provide a minimum of one City community park of 25 acres.

3. Open Space and Parks Policies - Planned Urbanizing Area

- a) The policies and standards for the development of the park system within the Planned Urbanizing Area differ in several respects from those in the Baseline Developed Area. These policies and standards will be implemented through each "Comprehensive Plan", in conjunction of the relevant "Comprehensive Planning District" policies presented in Chapter III.
- b) The acreage standards related to Neighborhood and Community Parks are considered minimum. These acreage standards may be enhanced by additional open space to meet unique characteristics of the Specific Plans for each new Village.
- c) All acreage standards are expressed as net acreage. This means that additional acreage must be added to the net park acreage for off-site requirements, such as street right-of-way, in order to satisfy the minimum standard. Minimum acreage standards will be increased if necessary to accommodate the development standards for the park.
- d) The City will endeavor to plan, acquire, and develop parks and recreation facilities adjacent to schools in order to maximize the potential for joint use of adjoining City and School District open space and recreation facilities.
- e) Only acreage owned or otherwise controlled exclusively by the City in perpetuity and planned to be developed and operated for the express and primary purpose of providing recreation facilities as set forth in the Neighborhood and Community Park policies and standards outlined in the General Plan, will count toward minimum acreage standards. Acreage dedicated or developed for other purposes such as trails and drainage

systems do not count toward minimum park acreage requirements. In contrast to the Baseline Developed area, School District open space does NOT count towards minimum park acreage requirements within the Planned Urbanizing Area.

f) Planned Urbanizing Area - Neighborhood Park Standards

The City will endeavor to provide at least one neighborhood park within each residential neighborhood. The park should be centrally located within the neighborhood and have a service radius of one half to three quarters of a mile.

The park should have one connector street frontage and the remaining sides should front on residential streets.

The minimum size for a neighborhood park shall be **SEVEN ACRES** or the total acreage based on **ONE ACRE OF PARK LAND PER ONE THOUSAND POPULATION** within the neighborhood, whichever is greater.

g) Planned Urbanizing Area - Community Park Standards

The Community Park Service Area is that area within a radius of approximately one to one-and-one-half miles of the park site. The park should have one major street frontage and the remaining sides should front on residential streets. Parks should not back up to residential lots.

The minimum size for a community park should be **FORTY ACRES** or the total acres based on **TWO ACRES OF COMMUNITY PARK LAND PER ONE THOUSAND POPULATION** within the Community Park Service Area.

4. Implementation

From time to time, the City may adopt subsequent plans or policy documents to implement some or all of the policies listed above. These subsequent policy documents will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Commonly used anticipated subsequent projects are listed and described in Chapter VIII.

H. COMMUNITY FACILITIES - PUBLIC SCHOOLS

1. Overview

Public schools, comprising both Community Facilities as well as Community Services, are a vital component of the City's infrastructure. In addition to their role of educating youth, they provide continuing education opportunities to all ages, prepare young adults for higher education or a vocation, and positively influence the community in many other ways. As of January 1995, the area covered by the Modesto Urban Area General Plan is served by fourteen public school districts.

School grounds are an integral part of the community's open space. Schools are physical focal points in the planned villages. They are also the focal point for recreational and social needs in the neighborhoods that they directly serve.

Parochial and private schools are acknowledged as supplementary providers of education even though policies are not outlined in the General Plan for their facilities.

2. Public Schools Policies - Baseline Developed Area

- a. For families in the child-rearing years, the proximity of a public elementary school within easy walking distance is a strong criterion in their evaluation of housing choices. Elementary school closure, a school district prerogative, has significant impacts on the surrounding neighborhood. School districts are encouraged to involve the city in deliberations regarding school closure, early in the process. Consistent with state statutes, school districts are encouraged to include extensive community participation in the process to close any existing schools.
- b. Existing schools and proposed school facilities on property owned by any School District on January 1, 1995, are shown on Figure V-6. School districts are encouraged to share their facility plans for new schools with the City.
- c. Changes in land use or intensity of development within the Baseline Developed Area may have an impact on school services which necessitate close communication between the City and the school district.
- d. There are specific state law prohibitions against certain uses within close proximity to schools, such as hazardous material uses and alcohol sales. Developers should contact the appropriate school district to determine if there are any known constraints to future development.

- e. The City shall continue to require that the developer pay, prior to issuance of any building permits, the maximum residential, commercial and industrial development school fees in effect at the time building takes place. This requirement is in accordance with the provisions of Assembly Bill 2926.

3. Public Schools Policies - Planned Urbanizing Area

- a. Public School Districts should be directly involved in the lead time for planning of infrastructure. A lead time of 3-5 years is desirable.
- b. Neotraditional Planning Principles, prescribed for residential development in the Planned Urbanizing Area, call for public schools as prominent, physical keystones to the connector street network. Schools, placed conveniently to the residents to be served, will maximize opportunities for students to walk and bike to school. Opportunities should be explored for joint school/park development when planning new neighborhoods or villages. The option for joint acquisition and development of school and park sites should be continued. School districts are encouraged to consider these design principles in their facility planning efforts.
- c. Land for new school facilities should generally meet the following minimum space requirements:
 - (1) Elementary schools - 10 acres (net).
 - (2) Middle schools or junior high schools -20 acres (net).
 - (3) High schools - 50 acres (net).
- d. All of the policies for "Public Schools - Baseline Developed Area" apply equally in the Planned Urbanizing Area.
- e. Developers of residential projects that are subject to the following policies (3e through 3k, below) should contact each affected school district prior to submitting an application to the City of Modesto. This early consultation with the school district on such matters as housing mix, timing of development, phasing, etc., will assist both parties in reaching an agreement on the best method of mitigating school impacts, should the project later be found to have the potential for significant effects on school facilities.
- f. Once an application for a residential project, which is not exempt from CEQA, has been determined to be complete, it will be referred to the appropriate school district(s) for "review and comment" in conjunction with the preparation of the required Focused Environmental Impact Report.

- g. Each school district will provide the City of Modesto with the information needed to evaluate the impact of the proposed residential project on their facilities, including background data necessary to document the impact that a residential project may have on that district's facilities. Such information shall be provided to the City of Modesto in a timely manner consistent with the City's responsibilities under CEQA.
- h. If it is determined that a proposed residential project may have a significant effect on a school district's facilities, the Focused EIR shall analyze this impact. It shall be the responsibility of the project applicant and school district to resolve the appropriate method of mitigation. Mitigation may take several forms, including but not limited to one or more of the following: fees, land dedication, special taxes, etc.
- i. The impact on public school capital facilities shall be considered fully mitigated by the City of Modesto when it receives written notification from the appropriate school district(s) that the school district(s) and project applicant have resolved school impacts and by what means.

If the City does not receive said written notification prior to a deadline set by the City, the City Council will review the final mitigation proposals by school district(s) and project applicant. This review will be done in light of the EIR (Focused or otherwise) completed for the project. The City Council may determine whether (a) the project impact on school capital facilities is fully mitigated based on any or all of the proposals, or (b) if specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR (Focused or otherwise), addressing the impact on public school capital facilities.

- j. Policies 3e through 3k shall apply when:
 - (1) A residential project seeks the approval of a General Plan Amendment, rezoning, prezone, annexation, Comprehensive Plan, or other legislative act;
 - (2) The project is located on property classified as Planned Urbanizing Area on the Growth Strategy Diagram;
 - (3) A school district has imposed school mitigation fees pursuant to Government Code Section 53080; and
 - (4) A school district has a valid application for the funding of public school capital facilities pending before the State unless it is not eligible for such

systems do not count toward minimum park acreage requirements. In contrast to the Baseline Developed area, School District open space does NOT count towards minimum park acreage requirements within the Planned Urbanizing Area.

f) Planned Urbanizing Area - Neighborhood Park Standards

The City will endeavor to provide at least one neighborhood park within each residential neighborhood. The park should be centrally located within the neighborhood and have a service radius of one half to three quarters of a mile.

The park should have one connector street frontage and the remaining sides should front on residential streets.

The minimum size for a neighborhood park shall be **SEVEN ACRES** or the total acreage based on **ONE ACRE OF PARK LAND PER ONE THOUSAND POPULATION** within the neighborhood, whichever is greater.

g) Planned Urbanizing Area - Community Park Standards

The Community Park Service Area is that area within a radius of approximately one to one-and-one-half miles of the park site. The park should have one major street frontage and the remaining sides should front on residential streets. Parks should not back up to residential lots.

The minimum size for a community park should be **FORTY ACRES** or the total acres based on **TWO ACRES OF COMMUNITY PARK LAND PER ONE THOUSAND POPULATION** within the Community Park Service Area.

4. Implementation

From time to time, the City may adopt subsequent plans or policy documents to implement some or all of the policies listed above. These subsequent policy documents will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Commonly used anticipated subsequent projects are listed and described in Chapter VIII.

- d. The City should participate in regional public transit proposals to the extent economically feasible and that such systems benefit Modestans.
- e. The City transit system shall strive to provide service on a one-half-mile grid where feasible to make the service as accessible as possible. Newly developing areas should provide a street pattern capable of accommodating transit service on a one-half-mile grid.
- f. The City's transit system shall strive to provide two-way service on routes where feasible.
- g. The City shall strive to safeguard options for future transit and mass transportation development, such as the Union Pacific railroad right-of-way.

3. Implementation

From time to time, the City may adopt subsequent plans or policy documents to implement some or all of the policies listed above. These subsequent policy documents will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

J. COMMUNITY SERVICES - POLICE

1. Overview

A primary goal of the City of Modesto Police Department is to maintain a sense of personal safety and security. Containing the level of crime at or below levels of other comparable cities will be accomplished through highly visible patrol services, coupled with effective investigations complimented by a very active education and crime prevention program. While maintaining law and order, the Police Department is active in participating in community involvement programs. There is a continuing effort at maintaining a high level of citizen satisfaction and providing high quality police services through caring and competent employees who are given a high level of personal and specialized education and technical training. Demographic and economic conditions will have tremendous influence on the demand for police services. The growing population, additional recreational facilities, increased traffic volumes, expanded City limits, new businesses and new residential areas all increase the importance of maintaining and supporting law enforcement services.

2. Police Policies - Baseline Developed Area and Planned Urbanizing Area

The following Policies apply in the Baseline Developed Area and, where relevant, in the Planned Urbanizing Area. In general, however, the Modesto Police Department is only authorized to provide services within its primary jurisdiction - the incorporated Modesto City limits.

- a. The City of Modesto should maintain an adequate personnel level, to organize patrol areas and provide investigative responses to achieve a comfortable and safe community climate conducive to a high quality of life and to maintain an active and growing commercial and business environment. To the maximum economic extent feasible, police operations should include proactive law enforcement and administrative efforts, all to be expanded as the City's population grows.
- b. The City of Modesto Police Department should strive to reduce the level of crime below levels of other progressive departments with comparable populations and demographics.
- c. The City of Modesto should strive to provide sworn officers in sufficient numbers to support basic police services consistent with other progressive departments with comparable populations and demographic statistics.
- d. The City of Modesto should strive to provide civilian staff in sufficient numbers to support sworn staff and to support continuing civilianization of services such as Crime Prevention, Investigative Support, Crime Scene Investigation, Accident Reports, and other documentation of incidents.
- e. The City of Modesto should maintain its efforts to educate the public about crime deterrence through programs like the Neighborhood Watch Program within residential neighborhoods, Traffic Watch Program on residential streets, and the Business Watch Program within commercial and industrial areas.

3. Implementation

From time to time, the City may adopt subsequent plans or policy documents to implement some or all of the policies listed above. These subsequent policy documents will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

K. COMMUNITY SERVICES - FIRE PROTECTION

1. Overview

The mission of the Fire Department is to provide efficient and effective fire and life safety protection to the community through control of hostile fire, fire prevention service, emergency medical services, emergency preparedness, and mitigation of hazardous materials incidents. This commitment is intended to safeguard the general economy and welfare of Modesto.

The policies in this Section conform to Section 65302(g) of the Government Code as that section of the Code relates to urban fires.

2. Fire Protection Policies - Baseline Developed Area and Planned Urbanizing Area

The following policies apply in the Baseline Developed Area and, where relevant, the Planned Urbanizing Area. In general, however, the jurisdiction of the Modesto Fire Department is limited to the incorporated Modesto City limits.

- a. The City of Modesto should strive to maintain adequate fire flows in relation to structure size, design, requirements for construction and/or built-in fire protection systems. Maintenance of adequate fire flows includes factors such as adequate storage, system gridding, hydrant spacing, and spacing and sizing of water mains.
- b. The City of Modesto should ensure adequate ingress and egress to all structures for fire fighting and rescue purposes.
- c. The City of Modesto should provide protection of life and property through the use of engineered fire protection systems and fire resistive roof systems.
- d. The City of Modesto should practice timely adoption of the Uniform Fire Code, National Fire code, and State Codes. These codes and ordinances may be amended to suit local conditions.
- e. The City of Modesto should strive to ensure that fire stations, apparatus, equipment and personnel are in place concurrent with construction in the Planned Urbanizing Area.
- f. Future fire station sites and facilities should be closely coordinated with existing and planned public parks, libraries, and other activity centers in order to encourage maximum efficiency of public facilities.

- g. The City of Modesto should promote fire-safe behaviors within the community through public fire education activities and programs.
- h. The City should maintain its readiness to mitigate man-made or natural disasters through maintenance and implementation of the Multi-Hazard Functional Plan.
- i. The Fire Department should maintain equipment, staffing and facilities to provide Emergency First Response level Emergency Medical Services, Urban Search and Rescue, and Hazardous Materials emergency response capabilities.
- j. The City of Modesto should strive to provide adequate Fire Department facilities through the achievement of the following facilities and service standards:
 - (1) The City of Modesto should maintain an emergency response system capable of achieving the following standards in 95% of all cases.
 - (a) The first fire emergency response unit arrives within 6 minutes of dispatch.
 - (b) A full alarm assignment arrives within 10 minutes of dispatch.
 - (c) A second alarm assignment arrives within 15 minutes of dispatch.
 - (2) The City should maintain staffing levels adequate to achieve an Insurance Service Office (ISO) rating of Class 2.

3. Implementation

From time to time, the City may adopt subsequent plans or policy documents to implement some or all of the policies listed above. These subsequent policy documents will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

L. COMMUNITY SERVICES - SOLID WASTE

1. Overview

This section addresses the requirements of Government Code Section 65302(a) regarding solid waste disposal facilities.

2. Solid Waste Disposal Policies - Baseline Developed Area

- a. The City of Modesto will comply with all the requirements of Assembly Bill 939 which mandates the diversion of solid waste of 25% by 1995 and 50% by 2000, by way of source reduction, recycling, composting, and transformation.

b. Source Reduction and Recycling Element (SRRE)

The state's placement of source reduction at the top of the integrated waste management hierarchy requires that the City implement source reduction programs. Some of the more critical program alternatives which may need to be implemented include variable can rates, composting at the site of generation, waste efficient yard care, and source reduction education.

New recycling programs may also need to be implemented; these programs include initiating multi-family and commercial/industrial recycling programs; evaluating the current curbside collection method and making recommendations for modifications as necessary; initiating a comprehensive public education and information program; and applying for grant funding for program implementation.

A significant amount of the waste currently being disposed of by the City is potentially compostable. Because of this significant diversion potential, it is essential that yard waste composting (including co-composting yard waste with biosolids) and compost market development be initiated.

The success of the other programs outlined in the SRRE depends upon the cooperation and participation of a public that understands the importance of waste reduction and recycling objectives. The residential and business communities will be targeted for a comprehensive outreach effort, including multi-media campaigns, awards, and point of purchase information.

c. Household Hazardous Waste Policies

The City will continue to participate in the existing Household Hazardous Waste Programs, including support of the drop-off facility, continued public information, and participation in the oil and battery collection programs.

d. County Hazardous Waste Management Plan

The City will comply with Stanislaus County's Hazardous Waste Management Plan.

e. Garbage Service

The City shall provide for the safe collection and disposal of all solid waste generated in the City of Modesto and to provide for the appropriate disposal facilities for the City's long-term needs. Garbage service shall be provided to all residences and business within the City of Modesto.

f. Landfills

To meet the waste disposal demands of the growing population, the City shall support Stanislaus County's efforts to find an additional landfill site, expand capacity of the Fink Road Landfill, or find an alternative waste disposal method for solid waste.

3. Solid Waste Disposal Policies - Planned Urbanizing Area

- a. In addition to the Solid Waste Disposal Policies in place for the Baseline Developed Area, as outlined above, the City should also consider implementing local land use incentives and zoning/building code modifications to encourage source reduction, recycling, and composting, and to provide adequate space for containers.
- b. In conjunction with the processing of a Comprehensive Plan within the Planned Urbanizing Area, the city shall consult with the firms responsible for solid waste disposal to confirm that adequate capacity exists for solid waste that would be generated by the project.

4. Implementation

From time to time, the City may adopt subsequent plans or policy documents to implement some or all of the policies listed above. These subsequent policy documents, such as the Source Reduction Recycling Element and the Hazardous Waste Management Element, will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

M. COMMUNITY SERVICES - HAZARDOUS MATERIALS MANAGEMENT

1. Overview

The County has prepared a Hazardous Waste Management Plan which is the guideline for managing hazardous waste in Stanislaus County. The goals, objectives, conclusions, recommendations and implementation measures of that plan are hereby incorporated as a

part of this document, along with any modifications which may result from state review of the Hazardous Waste Management Plan.

2. Hazardous Materials Management Policies

- a. The City shall comply with all existing federal and state laws which regulate the generation, transportation, storage, and disposal of hazardous materials.
- b. The City of Modesto should require that businesses and industries using hazardous material provide mitigation measures commensurate with the hazards they bring to the community, in accordance with the applicable Articles and Sections of the most current adopted edition of the Uniform Fire Code.
- c. In the event that site inspection or construction activities uncover chemical contamination, underground storage tanks, abandoned drums, or other hazardous materials or wastes at a parcel, the inspection report preparer shall so notify the City. The City shall notify the County Health Services Department. Under the direction of these agencies, a site remediation plan shall be prepared by the project applicant.

The plan would (1) specify measures to be taken to protect workers and the public from exposure to potential site hazards and (2) certify that the proposed remediation measures would clean up the wastes, dispose the wastes, and protect public health in accordance with federal, state, and local requirements. Permitting or work in the areas of potential hazard shall not proceed until the site remediation plan is on file with the City.

If a parcel is found to be contaminated to a level that prohibits the proposed use, the potential for reduction of the hazard should be evaluated. Site remediation is theoretically capable of removing hazards to levels sufficiently low to allow any use at the site. In practice, both the technical feasibility of the remediation and its cost (financial feasibility) should be evaluated in order to determine the overall feasibility of locating a specific use on a specific site. In some cases, it may require restriction to industrial use or a use that involves complete paving and covering of the parcel.

In accordance with OSHA requirements, any activity performed at a contaminated site shall be preceded by preparation of a separate site health and safety plan (prepared by the project applicant and filed with the City) for the protection of workers and the public. All reports, plans, and other documentation shall be added to the administrative record.

- d. For each specific project that would generate hazardous waste, the City shall require as a condition of building permit and/or business license approval that the project sponsor prepare a hazardous material transportation program. The transportation program shall identify the location of the new facility or use and designate either (1) specific routes to be used for transport of hazardous materials and wastes to and from the facility, or (2) specific routes to be avoided during transport of hazardous materials and wastes to and from the facility. Routes would be selected to minimize proximity to sensitive receptors to the greatest practical degree. Passage through residential neighborhoods should be minimized, and parking of waste haulers on residential streets should be prohibited. The City Fire Department shall review and approve the applicant's hazardous materials transportation program or, working with the applicant, modify it to the satisfaction of both parties.
- e. Prior to the issuance of all building permits, the City shall identify the site in relation to all CERCLIS sites and to known or suspected uncontrolled or abandoned hazardous waste sites. All projects within 2,000 feet of these facilities (generally depicted on Figure 16-1 of the Master Environmental Impact Report) shall conduct hazardous materials studies as necessary to identify the type and extent of contamination, if any, and the extent of risk to human health and public safety. If necessary, a remedial action program would be developed and implemented as in Policy 2-c.



CITY OF MODESTO
GENERAL PLAN PROGRAM

Figure V-1
CIRCULATION AND
TRANSPORTATION
DIAGRAM



LEGEND

- FREEWAY 99**
Circle represents grade separated interchange, the only means of access.
- CLASS A EXPRESSWAYS**
Circle represents grade separated interchange, the only means of access.
- CLASS B EXPRESSWAYS**
At grade intersections at arterials
No through collectors - either T or overpass. 4 to 6 travel lanes.
- CLASS C EXPRESSWAYS**
At grade intersections at arterials and collectors.
4 to 6 travel lanes.
- PRINCIPAL ARTERIAL**
8 travel lanes
- PRINCIPAL ARTERIAL**
6 travel lanes
- MINOR ARTERIAL**
4 travel lanes
- MAJOR COLLECTOR**
4 travel lanes
- MINOR COLLECTOR**
2 travel lanes (shown only in developed areas)
- AIRPORT**
- RAILROAD**
- STATE HIGHWAY DESIGNATION**
(Route Number)
- Indicates that these streets extend outside the boundary of the Modesto Area General Plan - Designations outside the GP boundary are illustrative only, subject to Stanislaus County's jurisdiction.
- Indicates that these streets extend outside the boundary of the Modesto Area General Plan

REFERENCE POINTS

- GENERAL PLAN BOUNDARY**
- ADJACENT COMMUNITIES BOUNDARY**
- RIVERS**

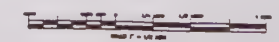


Figure V-2

EXPRESSWAY DESIGN FEATURES

Class A



Class B



Class C



This diagram illustrates levels of side-street and driveway access permitted on a one-mile section of typical Class A, Class B and Class C expressways, see next figure for greater detail on individual types of access.

Expressway Design Classes

Type of Access Point	Minimum Spacing along Expressway (if permitted at all)	Typical Design of Access Point		
		Class A Expressway	Class B Expressway	Class C Expressway
Driveway	>300ft.	(Not Permitted)	(Not Permitted)	
Collector	1/4-1/2 mi.	(Not Permitted)		
Arterial	1 mi.			

Expressway Access Management



CITY OF MODESTO
GENERAL PLAN PROGRAM

Figure V-3
**SANITARY SEWER
TRUNK LINES
DIAGRAM**

LEGEND

DESIGNATIONS

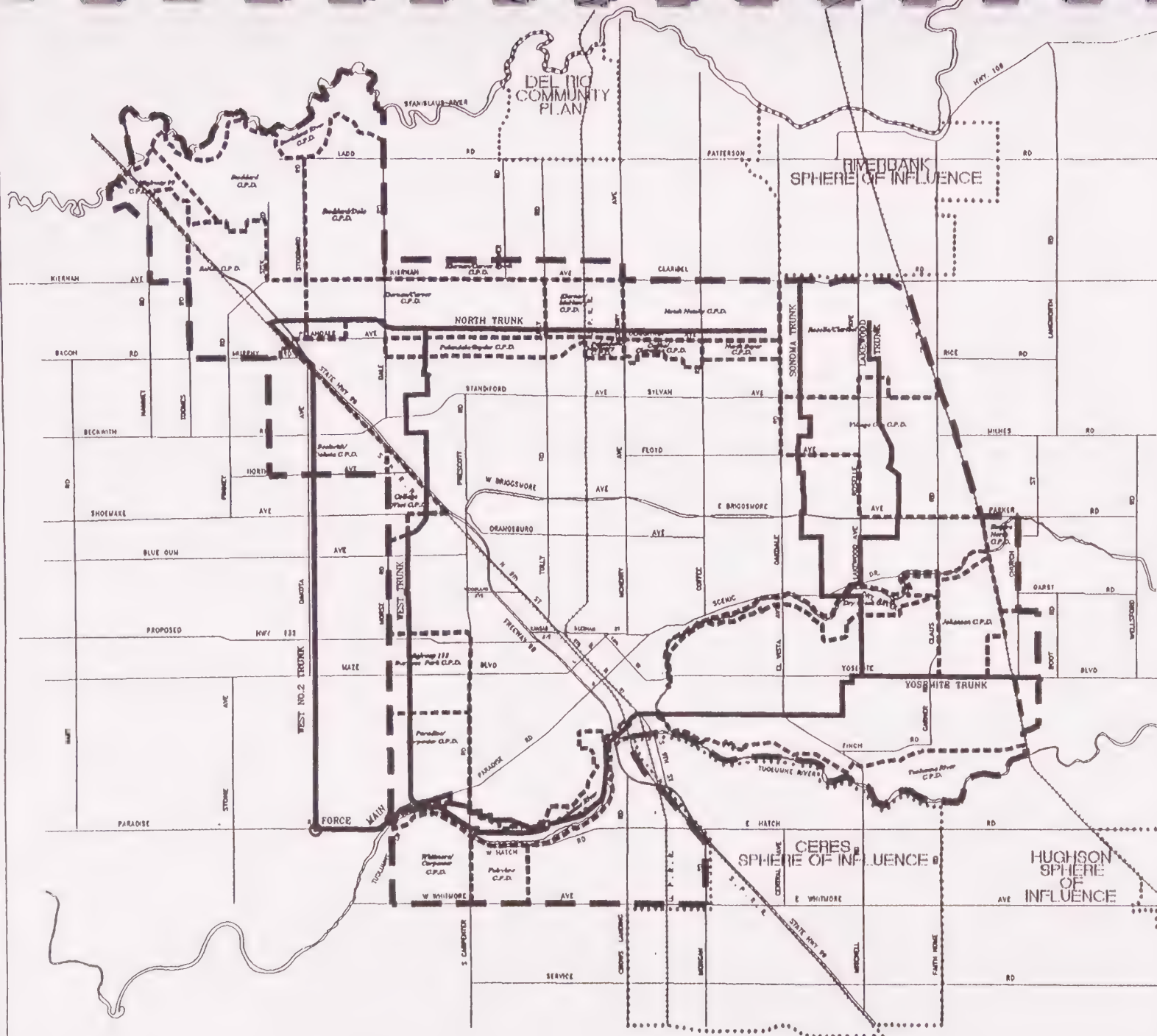
- Sewer Trunk Lines
— Force Main

BOUNDARIES

- Comprehensive Planning District boundary
--- General Plan boundary
..... Adjacent Communities boundary

REFERENCE POINTS

- STREETS
— FREEWAYS
— RAILROADS
— RIVERS





CITY OF MODESTO

Figure V-4
**EXISTING PARK SYSTEM
IN THE BASELINE
DEVELOPED AREA**

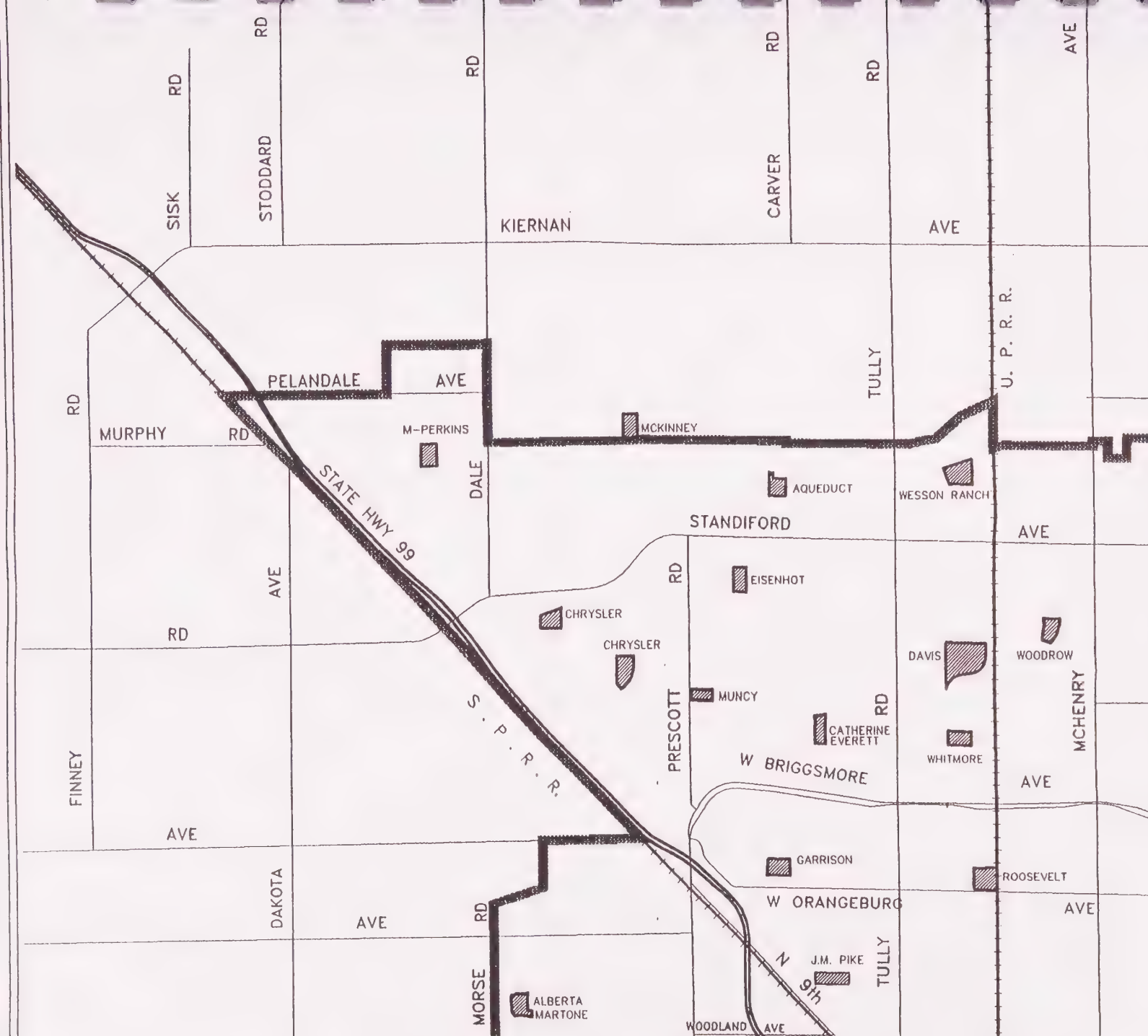
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REFERENCE POINTS



FILE NUMBER
DATE 4/10/92





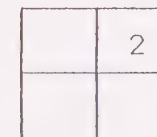
CITY OF MODESTO

Figure V-4
**EXISTING PARK SYSTEM
IN THE BASELINE
DEVELOPED AREA**

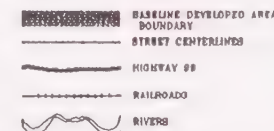
LEGEND



PARK

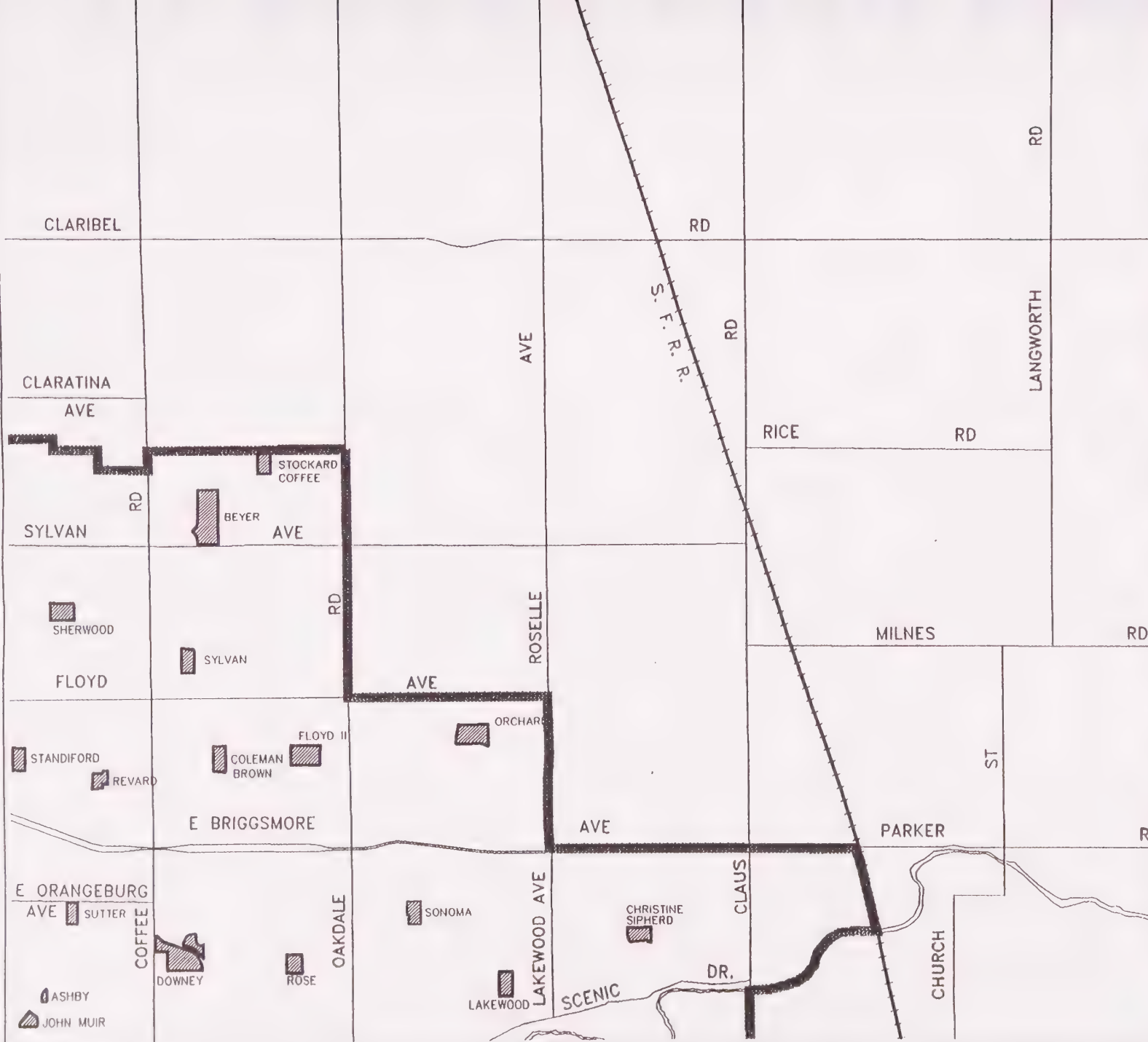


REFERENCE POINTS



1/2 MILE
1/4 MILE

V-39

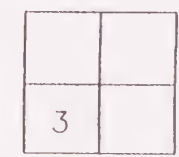




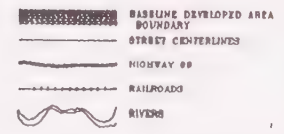
CITY OF MODESTO

Figure V-4
**EXISTING PARK SYSTEM
IN THE BASELINE
DEVELOPED AREA**

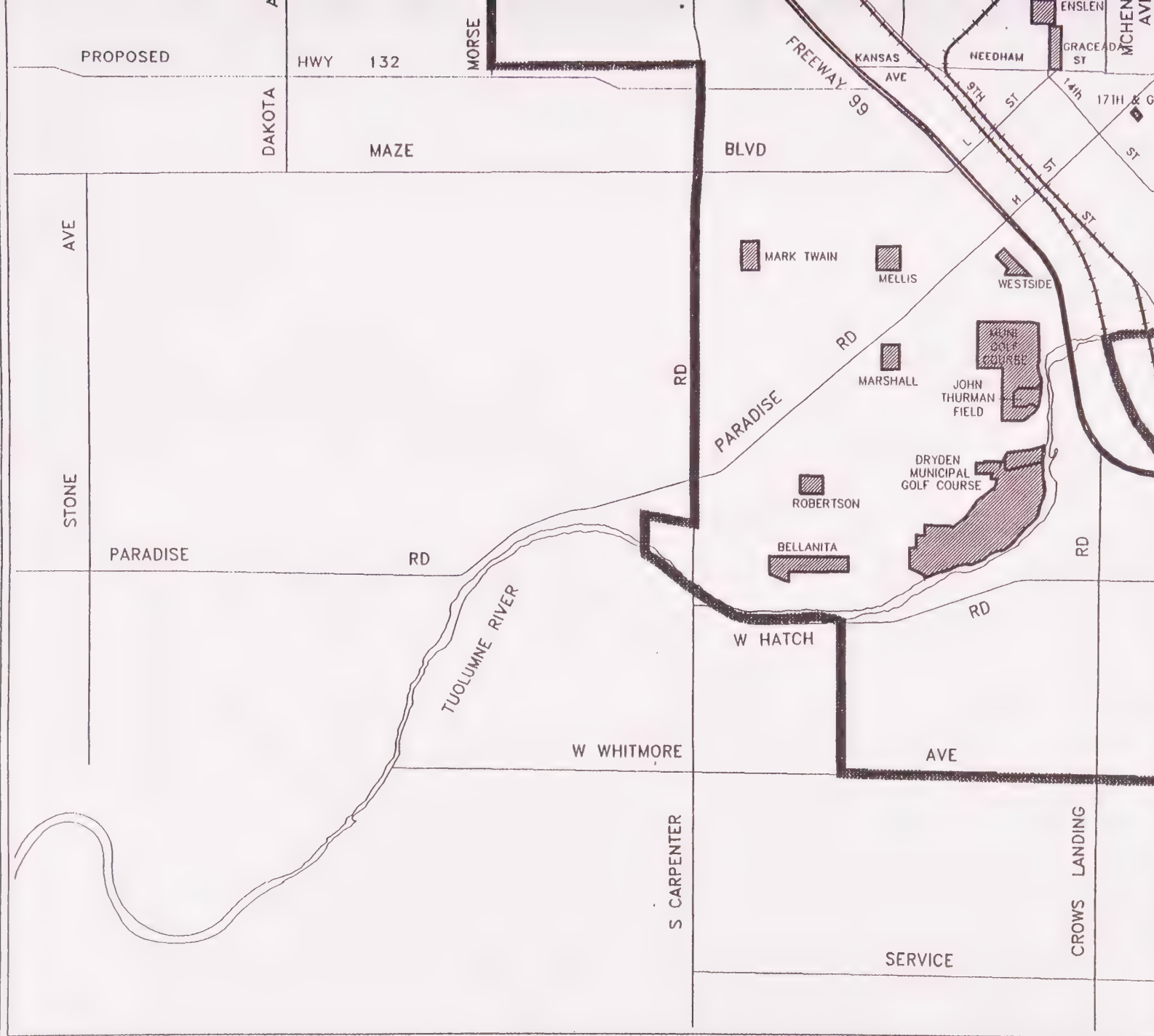
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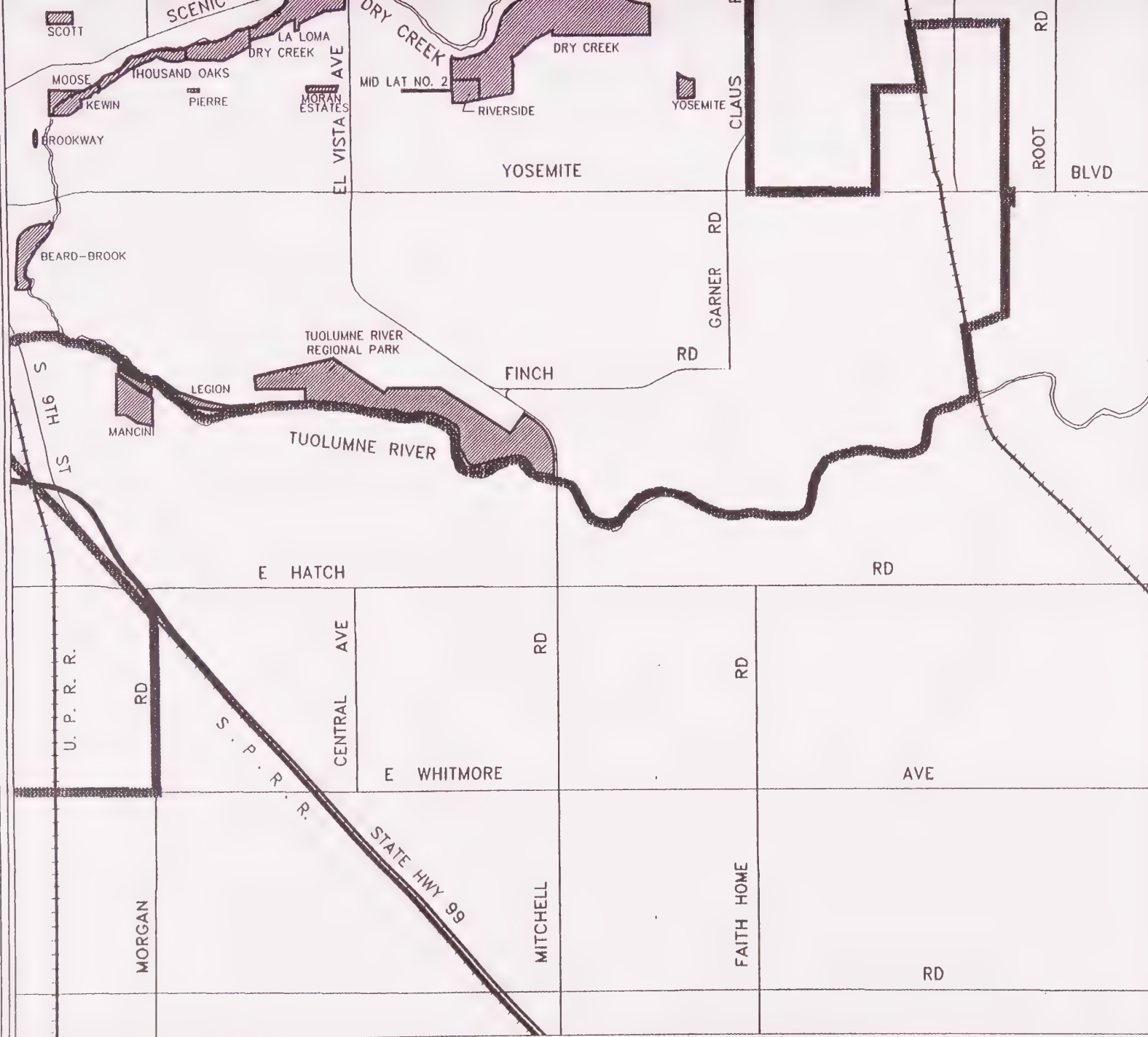
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PLS. PUBLISH
DATE 11/1/94



V-40



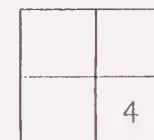
CITY OF MODESTO

Figure V-4
EXISTING PARK SYSTEM
IN THE BASELINE
DEVELOPED AREA

LEGEND



PARK



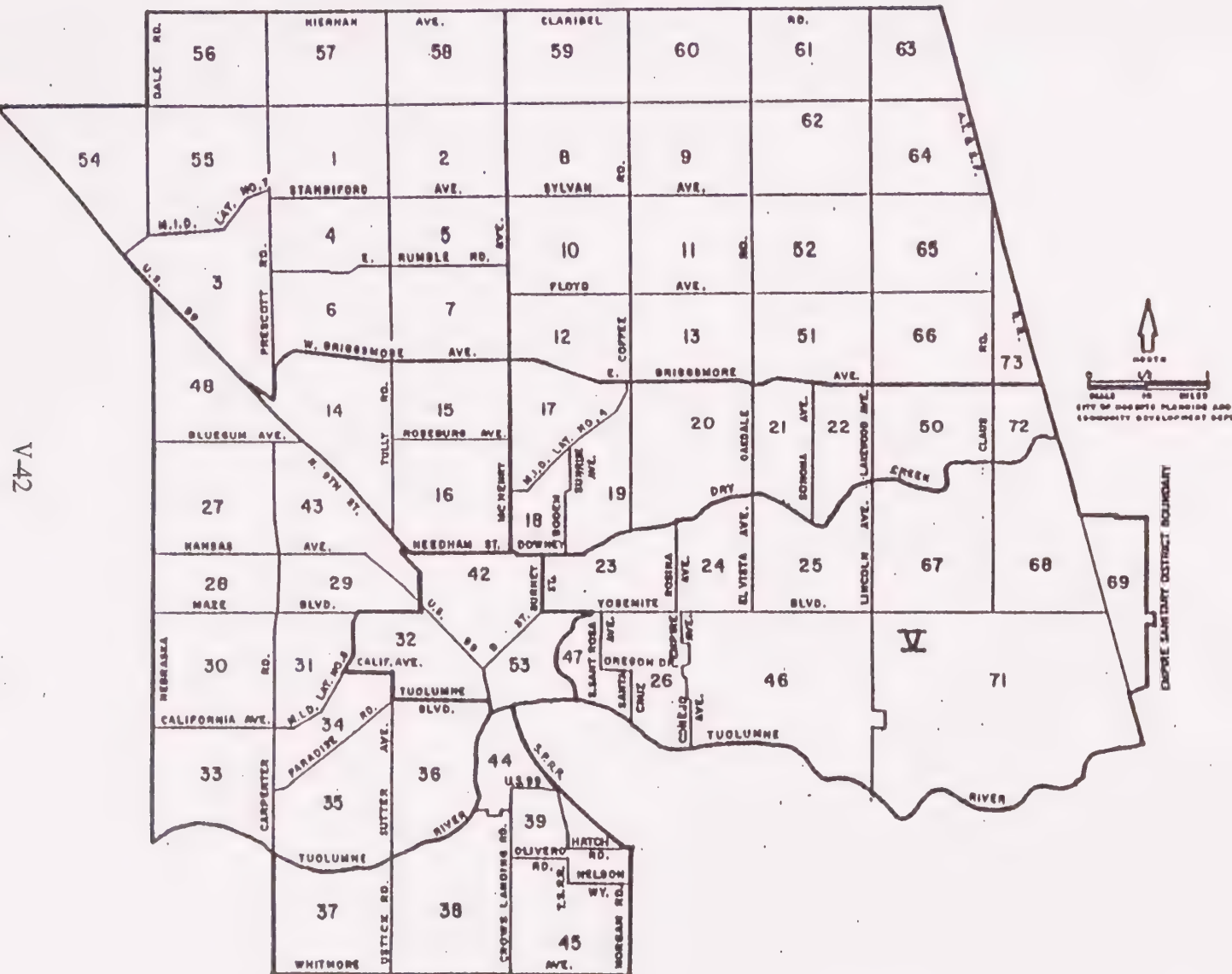
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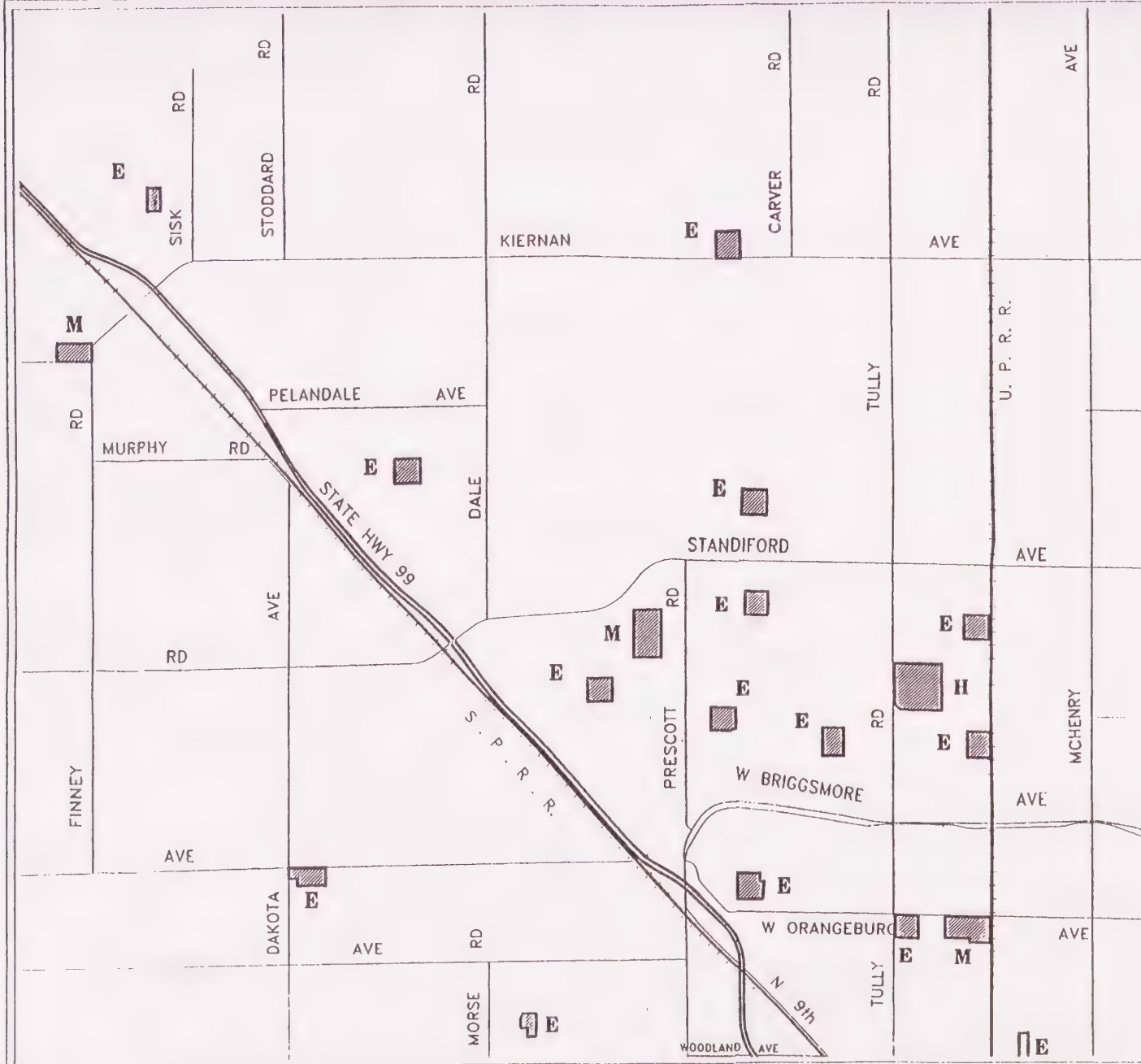


PARK PLANNING AREAS

PARK PLANNING AREAS

- | | | | |
|----|----------------|----|-----------------------|
| 1 | AQUEDUCT | 30 | BRET HARTE |
| 2 | H.W. MC HENRY | 39 | SHACKELFORD |
| 3 | CHRYSLER - 99 | 40 | (DISCONTINUED) |
| 4 | GOLDSWORTHY | 41 | (DISCONTINUED) |
| 5 | WOODBROW | 42 | DOWNTOWN |
| 6 | MUNCY-EVERETT | 43 | H. 99 INDUSTRIAL |
| 7 | BEARD | 44 | S. 99 INDUSTRIAL |
| 8 | H.E. MC HENRY | 45 | TIDEWATER INDUSTRIAL |
| 9 | MEYER | 46 | BEARD INDUSTRIAL WEST |
| 10 | SHERWOOD | 47 | GALLO |
| 11 | COFFEE-SYLVAN | 48 | COLLEGE WEST |
| 12 | STANDIFORD | 49 | (DISCONTINUED) |
| 13 | FLOYD | 50 | LAKEWOOD |
| 14 | H.V. CENTRAL | 51 | ONCHARD |
| 15 | ROOSEVELT | 52 | ROSELLE |
| 16 | ENSLEN-J.C. | 53 | CENTRAL INDUSTRIAL |
| 17 | E. MC HENRY | 54 | PELANDALE |
| 18 | HIGH | 55 | MC KINNEY COLONY |
| 19 | MUIR | 56 | MORROW |
| 20 | ROSE PARK | 57 | STANISLAUS |
| 21 | E. ORANGEBURG | 58 | KIERNAH |
| 22 | SCENIC EAST | 59 | CLARIBEL |
| 23 | LA LOMA | 60 | HETCH HETCHY |
| 24 | E. LA LOMA | 61 | OAKDALE |
| 25 | RIVERSIDE | 62 | MABLE |
| 26 | AIRPORT | 63 | PLAINVIEW |
| 27 | WOODLAND | 64 | SANTA FE |
| 28 | W. MAZE | 65 | CLAUSS |
| 29 | MAZE-WREN | 66 | HEMLE |
| 30 | VINEYARD | 67 | YOSEMITE |
| 31 | TWAIN | 68 | EMPIRE WEST |
| 32 | NEAR WEST SIDE | 69 | EMPIRE EAST |
| 33 | PARADISE WEST | 70 | (DISCONTINUED) |
| 34 | BURBANK | 71 | BEARD INDUSTRIAL EAST |
| 35 | BELLEHITA | 72 | LAKEWOOD EAST |
| 36 | FAIRWAY | 73 | MERLE EAST |
| 37 | FAIRVIEW | | |





CITY OF MODESTO

Figure V-6
EXISTING
SCHOOL SITES
IN THE MODESTO
URBAN AREA
(As of January, 1995)

LEGEND



SCHOOL

E

ELEMENTARY SCHOOL

M

MIDDLE SCHOOL

H

HIGH SCHOOL



RAILROADS PORTS

STREET CENTERLINE

HIGHWAY 99

RAILROADS

RIVERS



1 MILE

NOT TO SCALE



Figure V-6
EXISTING
SCHOOL SITES
IN THE MODESTO
URBAN AREA
(As of January, 1995)

LEGEND

SCHOOL

ELEMENTARY SCHOOL

MIDDLE SCHOOL

HIGH SCHOOL.



BIBLIOGRAPHY

STREET CENTERLINES

99 YAHOO!

RAILROADS

/ BUYERS

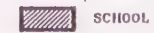




CITY OF MODESTO

Figure V-6
EXISTING
SCHOOL SITES
IN THE MODESTO
URBAN AREA
(As of January, 1985)

LEGEND



SCHOOL

E

ELEMENTARY SCHOOL

M

MIDDLE SCHOOL

H

HIGH SCHOOL



REFERENCE POINTS

STREET CENTERLINE

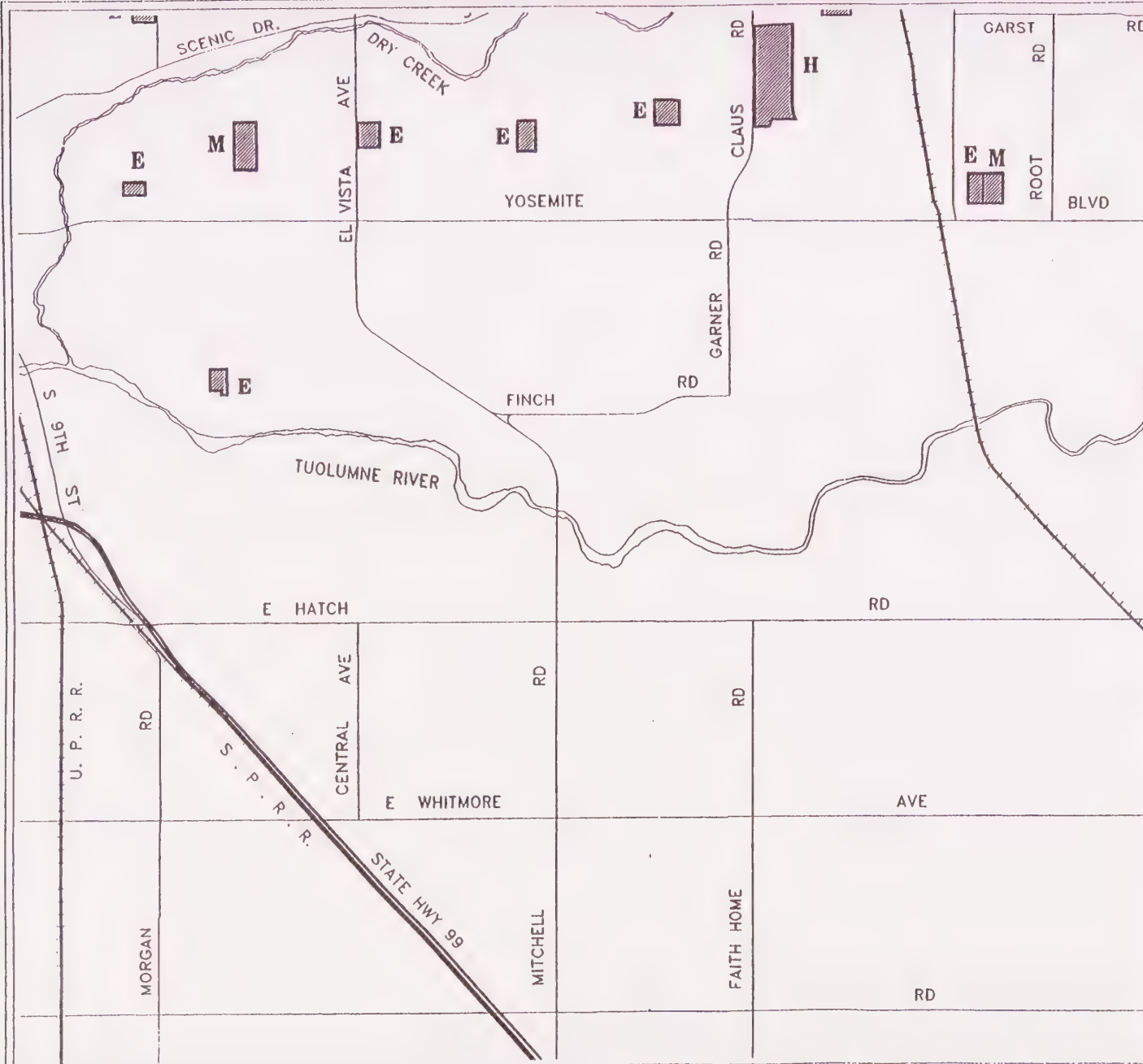
HOVWAY 99

RAILROAD

RIVERS



AS OF JANUARY 1985



CITY OF MODESTO

Figure V-6
EXISTING
SCHOOL SITES
IN THE MODESTO
URBAN AREA
(As of January, 1990)

LEGEND



SCHOOL

E

ELEMENTARY SCHOOL

M

MIDDLE SCHOOL

H

HIGH SCHOOL



FEATURES



ALL FIGURES
ARE IN FEET

CHAPTER VI

PUBLIC SAFETY ISSUES

VI. PUBLIC SAFETY ISSUES

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C.	Public Safety-Flooding Hazards	VI-2
D.	Public Safety-Fire Hazards	VI-4
E.	Public Safety-Miscellaneous Issues	VI-5

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CHAPTER VI

PUBLIC SAFETY ISSUES

A. INTRODUCTION

The physical urban development envisioned in Chapter III must consider certain public safety issues.

Public safety issues addressed in this Chapter include: Seismic and Geologic Hazards, Flood Hazards, Fire Hazards, and Miscellaneous Issues such as Landslides, Erosion, Expansive Soils, Subsidence and Evacuation Routes. The policies presented in these Sections are intended to comply with Section 65302 (g) of the Government Code.

B. PUBLIC SAFETY - SEISMIC AND GEOLOGICAL HAZARDS

1. Overview

There are no known geologic faults in the Planning Area or in the valley portion of Stanislaus County. The nearest faults are the Tesla Ortigalita fault in the Diablo Range, and the Bear Mountain and Melones faults in the eastern part of Stanislaus County - both of which have been inactive for the last 150 million years. There are no Alquist-Priolo Special Studies Zones in Modesto. Figure VI-1, "Geological Hazards," is a Stanislaus County-generated map which indicates that such hazards do not exist in the Modesto Urban Area.

Like any other place in the valley, the area could be impacted by earthquakes along faults in other parts of the region and elsewhere in California. Recorded earthquakes from faults outside the Modesto Urban Area have in the past produced ground shaking to an intensity of VI on the Modified Mercalli Intensity Scale of 1931. According to the State Division of Mines and Geology, ground shaking to an intensity of VII is possible in the future.

A maximum-intensity earthquake would be capable of causing considerable damage in ordinary structures. Most injuries, loss of life and property damage during earthquakes result from structural failures due to ground shaking. Damage from ground shaking is a combined function of the structural integrity of the buildings before the earthquake, and the quality of soils or bedrock underlying the buildings.

Older structures generally were not built to withstand the lateral stress imposed by the ground shaking of a major earthquake. Generally, the older the structure, the less likely it is to resist an earthquake. This applies particularly to buildings having walls of non-reinforced brick held together by sand-lime mortar, and in general to all multi-storied buildings that do not have steel reinforcements.

As part of implementing Public Resources Code Section 2690 et seq. (Seismic Hazards Mapping Act), the California Division of Mines and Geology is establishing a program to map liquefaction and landslide potential in various parts of the state. The Division of Mines and Geology will provide, in addition to maps, policies and criteria regarding the responsibilities of cities, counties, and State agencies pursuant to development in designated seismic hazard areas.

2. Seismic and Geological Hazard Policies - Baseline Developed Area and Planned Urbanizing Area

Although the Modesto Urban Area is relatively free from recent seismic activity, the Uniform Building Code places all of California in Seismic Risk Zone 3, which means that all new structures must be designed to resist collapse in an intensity VIII earthquake. Further, the following policies are adopted throughout the General Plan Area.

- a. The City shall continue to use building codes as the primary tool for reducing seismic risk in structures. The Uniform Building Code, which has been adopted by Modesto, Stanislaus County and the other cities in the County, is intended to ensure that buildings resist major earthquakes of the intensity or severity of the strongest experience in California, without collapse, but with some structural as well as nonstructural damage. In most structures, it is expected that structural damage could be limited to repairable damage, even in a major earthquake.
- b. The City shall continue to require all new buildings in the City to be built under the seismic requirements of the Uniform Building Code, 1979 (or subsequent) editions.
- c. The City shall continue to explore measures to induce building owners to upgrade and retrofit structures to render them seismically safe.

3. Implementation

From time to time, the City may adopt subsequent plans or policy documents to implement some or all of the policies listed above. These subsequent policy documents will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

C. PUBLIC SAFETY - FLOODING HAZARDS

1. Overview

Flooding is one of the costliest natural hazards in California. In the Modesto area the problem of flooding, defined as breaching of the banks of a natural water course, is limited to property along Dry Creek, Stanislaus and Tuolumne Rivers. Completion of the

Don Pedro Dam effectively reduces exposure to flood damage on both the Tuolumne River and lower reaches of Dry Creek; construction of the New Melones dam has significantly reduced the chance of flood damage on the Stanislaus River. Portions of the Stanislaus River still flood to the extent that there can be crop damage, but the U.S. Army Corps of Engineers has purchased flowage easements to accommodate this periodic inundation. Figure VI-2, "Flood Potential Diagram," describes certain areas to be studied further to ensure that new development is not located within areas potentially inundated by the "100 year flood," as defined by the Federal Emergency Management Agency.

Programs for reducing flood losses include both structural and non-structural approaches, some directed at preventing floods, other at controlling that which cannot be prevented. The Don Pedro Dam on the Tuolumne River is a method of prevention. Channel maintenance and development is an additional means of flood prevention. Nonstructural measures include flood forecasting, zoning, exclusions from designated floodways, building code requirements and evacuation from flood areas.

In the urban area of Modesto, nonstructural approaches to minimize flood hazards seem to be the most effective approach. To this end the City adopts the following policies.

2. Flood Hazard Policies - Baseline Developed Area

When development is proposed on parcels located within any "Flood Potential Study Area" shown on Figure VI-2, the following policies apply:

- a. New urban development shall be approved only when the developer shows it to be protected from "100 year" floods.
- b. Existing urban development within areas subject to a "100 year" flood shall be provided with mitigation measures that offer protection from possible flooding.
- c. Undeveloped floodway and floodplain areas shall be preserved for non-urban use.
- d. Appropriate emergency plans for the safe evacuation of people from areas subject to inundation from dam failure shall be reviewed and periodically updated.

3. Flood Hazard Policies - Planned Urbanizing Area

- a. All of the Flood Hazard Policies adopted for the Baseline Developed Area apply equally within the Planned Urbanizing Area.
- b. The Focused Environmental Impact Report, for any Comprehensive Planning District located within a "Flood Potential Study Area" on Figure VI-2, shall include a Flood Hazard Analysis developed to mitigate all of the Flood Hazard impacts identified in the Master Environmental Impact Report.

- c. The results of the Flood Hazard Analysis shall be incorporated into the project design of any Comprehensive Plan.

4. Implementation

From time to time, the City may adopt subsequent plans or policy documents to implement some or all of the policies listed above. These subsequent policy documents will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

D. PUBLIC SAFETY - FIRE HAZARDS

Fire protection policies within the City of Modesto are contained in Chapter V. Fire hazards in Modesto are primarily associated with urban fires. Urban fires may be defined as fires which occur in commercial, industrial and residential structures. Most urban fires are caused by human activity, and may result in property damage, injuries, and loss of life.

Over the years, building codes have been established and utilized to reduce the frequency and severity of urban fires. Electrical construction standards have been improved, building separation requirements have been implemented, and fire walls are now required to separate closely sited structures and properties. Buildings which are highly susceptible to fire may also have automatic sprinkler systems installed. Development standards established by the City of Modesto and Stanislaus County zoning codes, including setback and access requirements, also help to minimize urban fire hazards. However, despite these measures, older buildings which do not meet current building codes and/or were constructed prior to the implementation of protective zoning may represent a significant fire hazard.

Peak-load water supply is defined as "the supply of water available to meet both domestic water and fire fighting needs during the particular season and time of day when domestic water demand on a water system is at its peak". Pipeline sizes, pump capacities, and water storage capacity should be adequate to meet the demand for peak-load water supply. The following Policies supplement the Fire Protection Policies contained in Section V-K.

1. Fire Hazard Policies - Baseline Developed Area and Planned Urbanizing Area

- a. Peak Load Water Supply

The City shall ensure that adequate water fire-flows are maintained throughout the City and shall regularly monitor fire-flows to ensure adequacy. New development shall comply with the minimum fire-flow rates, as presented in Appendix III-A of the Uniform Fire Code. The Fire Chief is allowed by the Uniform Fire Code to alter any published standards.

b. Minimum Road Widths and Clearances Around Structures

Minimum road widths and clearances around structures shall conform to Section 10.204(a) of the Uniform Fire Code. The Fire Chief is allowed by the Uniform Fire Code to alter any published standards.

E. PUBLIC SAFETY - MISCELLANEOUS ISSUES

1. Landslides

A landslide is the downhill movement of masses of earth material under the force of gravity. Movement may be rapid or so slow that a change of position can be noted only over a period of weeks or years. Landslides are a common problem in hillside areas; however, most of Modesto is flat and there is very limited exposure to this type of hazard. Development along the banks of Dry Creek and the Stanislaus and Tuolumne Rivers could be subject to this type of hazard. Erosion is controlled through the following measure:

- a. Any construction which occurs as a result of the General Plan must conform with the current UBC regulations, which address seismic safety of new structures and slope requirements. As appropriate, the City will require a geotechnical analysis prior to tentative map review in order to ascertain site-specific subsurface information necessary to estimate foundation conditions. These geotechnical studies should reference and make use of the most recent regional geologic maps available from the California Department of Conservation Division of Mines and Geology.

2. Erosion

Erosion generally involves two somewhat distinct problems - the wear and removal of materials from one site and its deposition at another. The removal of soils through erosion can be damaging in situations of sheet and gully erosion of land surfaces, the wind-blown denudation of lands, and the erosion of stream courses and banks. Deposition damage affects flood plains, rivers, lakes, and reservoirs, and may clog drainage structures. Activities by man frequently accelerate erosion-related damages and losses.

Erosion in the Modesto Urban Area is a nominal concern and is limited to areas adjacent to Dry Creek and the Stanislaus and Tuolumne Rivers. We are primarily concerned with bank protection in these areas. The responsibility for erosion control belongs to the landowner or developer who modifies the land surface and is monitored and controlled by the community through the grading requirement of the Building Code and controls on the subdivision of land. The erosion control program shall be consistent with the following measures:

- a. Fluvial erosion related to construction shall be controlled by a construction erosion control program which shall be filed with the City Public Works & Transportation Department and kept current throughout any site development phase.
- b. The erosion control program shall include "best management practices" as appropriate, given the specific circumstances of the site and/or project. Table 9-2 in the Master Environmental Impact Report presents examples of best management practices.
- c. Sediment control basins to capture eroded sediments and contain them on the project sites shall consider appropriate design criteria as outlined in Table 9-3 in the Master Environmental Impact Report.

3. Expansive Soils

Expansive soils are earth materials which greatly increase in volume when they absorb water and shrink when they dry out. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. Movement may vary under different parts of a building with the results that foundations crack, various structural portions of the building are distorted, and doors and windows are warped so that they do not function properly. In the Modesto urban area, there is low exposure to this type of problem, which can be easily and reasonably controlled by the adopted Uniform Building Code.

4. Subsidence

Subsidence of the land surface, as a result of the activities of man, has been occurring in California for many years. Subsidence can be divided on the basis of causative mechanisms into four types: groundwater withdrawal, gas and oil withdrawal, hydro-compaction from irrigation and peat oxidation. Groundwater withdrawal subsidence is the most extensive and has been the most costly of the four types of subsidence in California. Based upon all information available, the Modesto Urban Area is free from subsidence problems.

5. Evacuation Routes

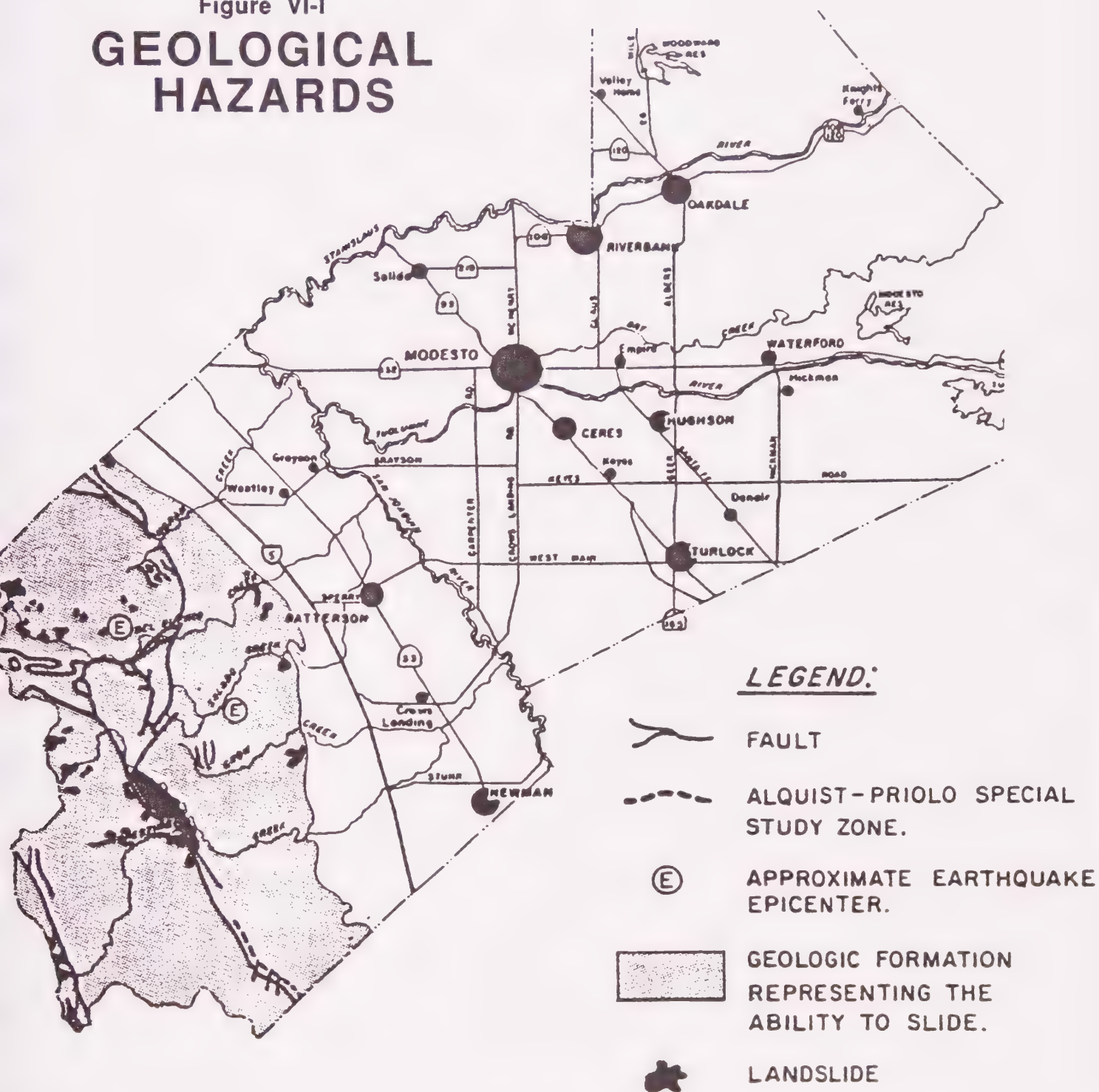
Figure VI-3 identifies Emergency Evacuation Routes, as required by Section 65302 (g) of the Government Code. The following policies are adopted.

- a. The City shall promote public awareness of the following local routes for the public's use in evacuating the City in the event of an emergency:
 - (1) State Highways 99, 132, 219, and 108
 - (2) Briggsmore Avenue

- (3) Claus Road
- (4) Standiford/Sylvan Avenue
- (5) Scenic Drive
- (6) Pelandale Avenue
- (7) Ninth Street
- (8) Paradise Road
- (9) Carpenter Road

- b. City plans and policies shall not interfere with any emergency evacuation and response plans. This would include the continued maintenance of adequate police and fire services, and identified emergency evacuation routes (Figure VI-3).

Figure VI-1 GEOLOGICAL HAZARDS



SOURCES: GEOLOGY OF THE BOARDMAN QUADRANGLE, SANTA CLARA, STANISLAUS COUNTIES, CALIFORNIA; by Marshall E. Maddock, 1964.

GEOLOGICAL MAP OF CALIFORNIA, SAN JOSE SHEET, OLAF P. JENKINS EDITION. U. S. C. S.

PRELIMINARY EARTHQUAKE EPICENTER MAP OF CALIFORNIA, 1934 TO JUNE 30, 1970. The Resources Agency Department of Conservation, State of California.

State Division of Mines and Geology

ENVIRONMENTAL RESOURCES MANAGEMENT ELEMENT, GEOLOGY AND SEISMIC SAFETY; Stanislaus Area Association of Governments, 1974.



CITY OF MODESTO
GENERAL PLAN PROGRAM

Figure VI-3

FLOOD POTENTIAL
DIAGRAM

LEGEND

DESIGNATIONS

FLOOD POTENTIAL
STUDY AREA

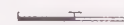
BOUNDARY LINES

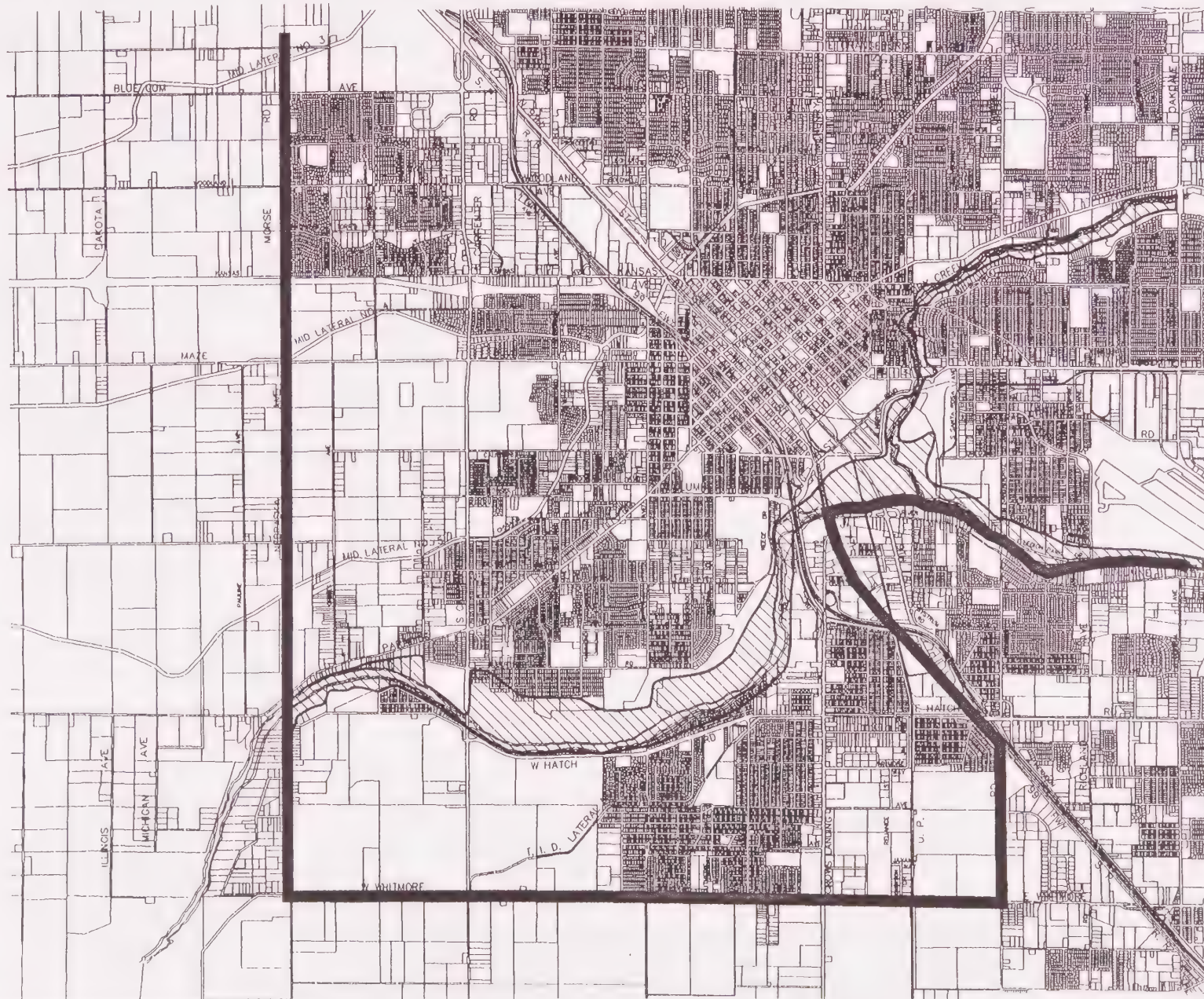
GENERAL PLAN BOUNDARY



REFERENCE POINTS
(For illustration only, not adopted)

STREETS
 FREEWAY
 RAILROADS
 RIVERS






**CITY OF MODESTO
GENERAL PLAN PROGRAM**

**FLOOD POTENTIAL
ZONE**

LEGEND

DESIGNATIONS





 FLOOD POTENTIAL STUDY AREA

BOUNDARY LINES

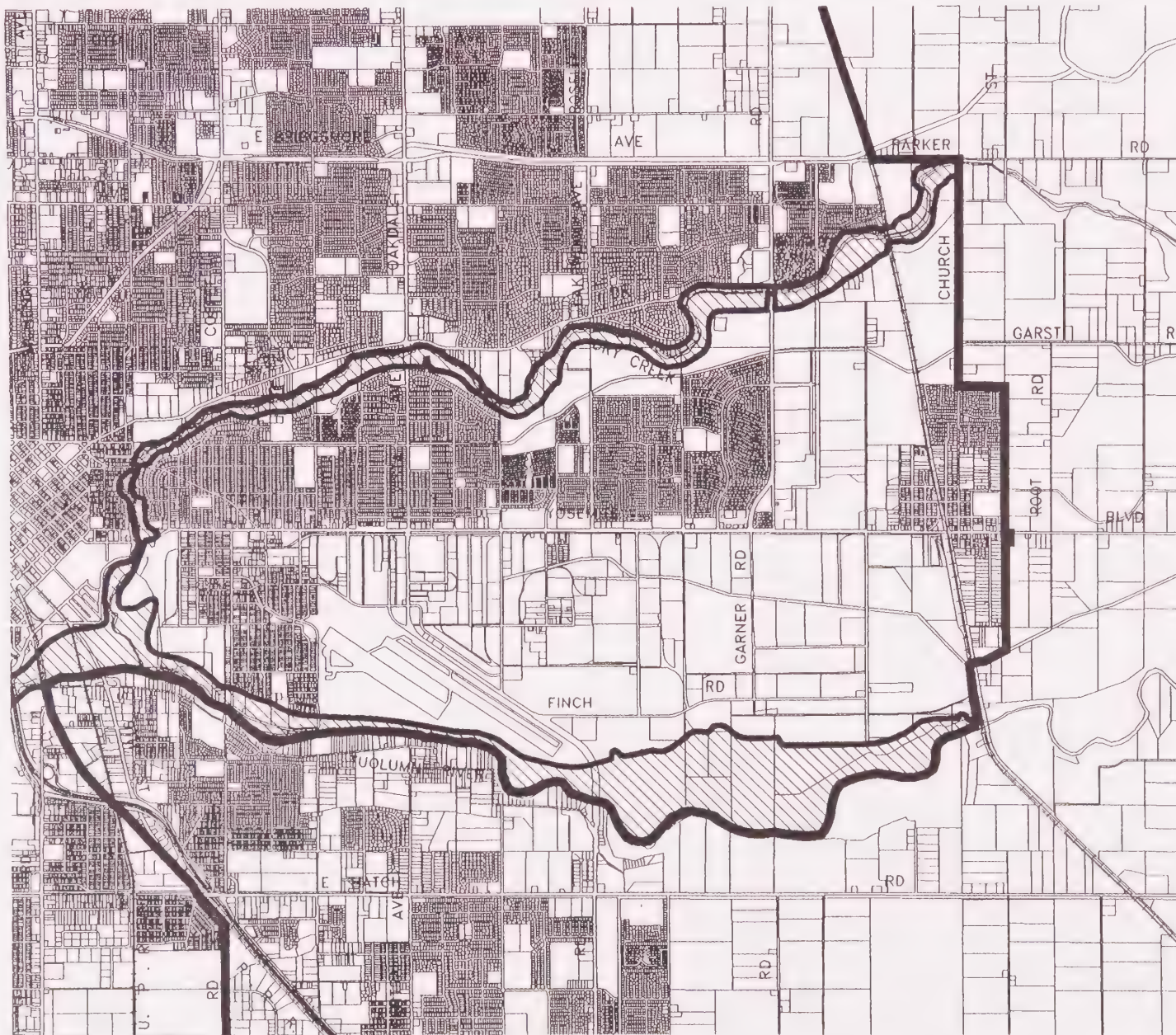
 GENERAL PLAN BOUNDARY



REFERENCE POINTS
(For illustration only, not adopted)

 STREETS
 FREEWAY
 RAILROADS
 RIVERS






CITY OF MODESTO
GENERAL PLAN PROGRAM

Figure VI-2
FLOOD POTENTIAL
DIAGRAM

LEGEND

DESIGNATIONS

 FLOOD POTENTIAL STUDY AREA

BOUNDARY LINES

 GENERAL PLAN BOUNDARY



REFERENCE POINTS

(For illustration only; not adopted)





 STREETS
 FREEWAY
 RAILROADS
 RIVERS



Figure VI - 3
EMERGENCY EVACUATION ROUTES



CHAPTER VII

ENVIRONMENTAL RESOURCES AND OPEN SPACE

VII. ENVIRONMENTAL RESOURCES AND OPEN SPACE

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CHAPTER VII

ENVIRONMENTAL RESOURCES AND OPEN SPACE

A. INTRODUCTION

The physical urban development envisioned in Chapter III must consider certain environmental resource issues. Environmental resources addressed in this Chapter include: the "local open space plan," as required by Section 65563 of the Government Code; geology and soils; agriculture; wildlife and other natural resources; archaeological and cultural resources; noise (Section 65302(f)); air quality; and energy conservation.

B. LOCAL OPEN SPACE PLAN

Open space needs are broadly identified by the State legislature. It is within this scope that local jurisdictions must identify specific areas and targets of preservation, development and/or production. Government code Section 65560 lists four broad categories to be designated on a local open space plan: Open space for 1) the preservation of natural resources, 2) public health and safety, 3) managed production of resources, and 4) outdoor recreation. These categories will be discussed in detail as they relate to the Modesto Urban Area.

1. Open Space for the Preservation of Natural Resources

State law defines this as areas required for the preservation of plant and animal life and areas required for ecologic and other scientific study purposes: rivers, streams, bays, estuaries, coastal beaches, lakeshores, and watershed lands. The Modesto Urban Area contains three such areas of preservation of natural resources: the Stanislaus River, Tuolumne River, and Dry Creek.

All three of these rivers are proposed to be acquired and maintained as Regional Parks. Chapter III of this General Plan presents detailed policies, in the form of Comprehensive Planning Districts, for the development of these three parks.

2. Open Space for Public Health and Safety

Open space for public health and safety includes areas which require special management or regulation because of hazards or special conditions such as earthquake fault zones, flood plains, areas presenting high fire risks, water reservoirs, and areas required for the protection of enhancement of air quality (Government Code Section 65560).

Chapter VI of this General Plan presents Policies to address the issues raised in the above State statute. More specifically there is not an earthquake fault underneath the Modesto Urban Area, nor are there significant opportunities for land slides, volcanic hazards, erosion or expansive soils. Designated floodways have been established on both Dry Creek and the Tuolumne and Stanislaus Rivers and permits are required from the State

Reclamation Board before any construction is approved. The Building Code regulates all construction in these areas. The Tuolumne River Regional Park and Dry Creek Park contribute to preservation of the floodway.

3. Open Space for Managed Production of Resources

The Government Code lists the following kinds of land used for managed production of resources: forest lands, range lands, agricultural lands, areas important for the management of commercial fisheries, and areas containing major mineral deposits.

The Modesto Urban Area has two areas in which the managed production of resources is important: recharge of the groundwater basin and agricultural lands. Groundwater has traditionally been used by the City for its domestic, commercial and industrial needs. With the City's continued growth, this has led over the years to overdrafting of the groundwater basins. As a result, the City of Modesto has undertaken several steps to stabilize the groundwater basins. Policies to address groundwater stabilization are found in Section V-C.

Agricultural issues are presented in more detail in Section VII-D, which follows.

4. Open Space for Outdoor Recreation

Government Code Section 65560 defines open space for outdoor recreation to include areas of outstanding scenic, historic, and cultural value, areas suited for parks and recreation purposes and areas which serve as links between major recreation and open-space reservations. Section V-G of this General Plan focuses on the City's neighborhood and community park system as the major source of outdoor recreation opportunities in the City.

5. Open Space Policies - Parks

- a. Figure V-3 presents the existing (1995) park system. Section V-G(2) presents a variety of policies applying to parks within the Baseline Developed Area.
- b. Within the Redevelopment Area, the Redevelopment Plan, adopted in 1991, contains adequate policies applicable to the Redevelopment Project Area.
- c. Within the Planned Urbanizing Area, development of new parkland and open space shall be accomplished through the application of specified performance standards presented in Section V-G(3).
- d. The regional park systems for Dry Creek and the Stanislaus and Tuolumne Rivers are defined in Chapter III, as follows: the Stanislaus River Comprehensive

Planning District, the Tuolumne River Comprehensive Planning District, and the Dry Creek Comprehensive Planning District.

6. Open Space Policies - River Greenway Program

The State Lands Commission holds a fee ownership in the bed of the Stanislaus and Tuolumne Rivers between the two ordinary low water marks. The entire rivers between the ordinary high water marks are subject to a Public Trust Easement. Both easement and fee owned lands are under the jurisdiction of the State Lands Commission (Public Resources Code Section 6301 and Section 6216). Use of lands underlying the State's easement must be consistent with Public Trust needs in the area. In addition, the State may have a sovereign interest in Dry Creek. However, due to staff limitations of the State Lands Commission, a study of this area to define the precise nature and extent of the State's interest had not been initiated in 1995.

State Lands Commission staff believes that the general plan update is an excellent opportunity to incorporate public trust resource protection values and, specifically, a greenway concept. The City Parks and Recreation Director agrees with State Lands Commission staff; therefore, the following policies, collectively referred to as the "River Greenway Program," are adopted to guide the development of parkland within the Dry Creek, Stanislaus River, and Tuolumne River Comprehensive Planning Districts (see Chapter III):

- a. Visual corridors of the river will be protected and enhanced.
- b. Visual corridors and access points on the riverfront will be recreated through redevelopment.
- c. Public access points and linear foot and bike paths will be incorporated into residential redevelopment.
- d. Riverfront vegetation will be consistent with riparian habitat zones.
- e. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses dependent on such resources shall be allowed within such areas (e.g. nature education and research, fishing and habitat protection).
- f. The scenic resources of Public Trust lands and resources shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect scenic views associated with Public Trust lands and resources.

7. Implementation

- a. The Neighborhood and Community Parks implementation programs are presented in Chapter V.
- b. The Regional Park system consisting of Dry Creek, Stanislaus River, and Tuolumne River shall be developed through the "Comprehensive Planning District" process outlined in Chapter III. The River Greenway Program policies (Section VII-B(6), above) shall be incorporated into each of these three Comprehensive Planning Districts by including the following design elements:
 - (1) A riparian protection, restoration and maintenance plan.
 - (2) A Riverfront Greenway trail element identifying access points and interconnection with any appropriate pathway programs;
 - (3) Dedication requirements to guarantee access is permanent (e.g. dedication of fee, easement, or deed restriction);
 - (4) A maintenance and operations element specifying how trails and accessways shall be maintained and operated and by what agency;
 - (5) A trail/accessway standards element specifying standards including minimum width of trails, trail surface, etc. consistent with state and federal law and state standards.
- c. Any action by a county or city by which open space land or any interest therein is acquired or disposed of or is restricted or regulated, whether or not pursuant to this part, must be consistent with the local open space plan (Section 65566, Government Code).

C. SOILS AND GEOLOGIC RESOURCES

This Section deals with soils and other geologic features as resources. Section VI-C deals with soils and geologic features as hazards. This Section is intended to comply with Section 65302(d) regarding "...the conservation, development, and utilization of...soils."

The alluvial fan soils in the area of Modesto are highly suitable for agriculture. The soils are composed of materials derived from Sierran granitic terraces. The following soils found in the Modesto area are particularly suited to agriculture:

Chualar Series. These soils are moderately well drained and moderately coarse textured. They are on smooth, very gently sloping to nearly level relief. Many areas of these soils are in the vicinity of Modesto, especially to the north and northwest. They are important for growing a wide variety of orchard, vineyard, field and forage crops. Yields are good to excellent.

Dinuba Series. These soils are imperfectly drained and moderately coarse textured. They are very gently sloping to nearly level. They are found north and northwest of Modesto. These soils are largely cultivated. They are mainly used for irrigated pasture and grain and vine crops.

Hanford Series. These soils are well drained and moderately coarse textured. They have smooth, very gentle slopes. They are along the Stanislaus and Tuolumne Rivers and on broad alluvial fans in the Modesto vicinity. These are important soils for the production of a wide variety of irrigated orchards and field and truck crops.

Modesto Series. These soils are moderately well drained, medium and moderately fine textured. They occur on nearly level areas where runoff is very slow. They are found north and northwest of Modesto. These soils are used for a wide variety of field crops and for orchards and vineyards.

In addition to soil resources, aggregate sand and gravel resources are found along the Stanislaus River. A surface mining operation for aggregate existed near the Stanislaus River at the northwestern corner of the General Plan area, but ceased operation in 1966. This site has since been converted into a concrete aggregate recycling operation.

No specific policies are proposed in this Section. Policies for soils resources as they relate to agricultural production can be found in Section VII-D.

D. AGRICULTURE RESOURCE POLICIES

1. Overview

As in other parts of the Central Valley, Modesto is located in the center of rich agricultural lands. This means that urban expansion almost inevitably results in conversion of agricultural land to urban uses. The General Plan Land Use Diagram and Plan policies define the long-term edge between urban and agricultural activities.

Most of the agricultural land in the General Plan Area is found outside Modesto's corporate limits. A wide variety of crops are grown. Predominant among them are fruits and nuts, with almonds representing a major share.

Almost all farmland in the General Plan Area is rated by the California Department of Conservation as either "Prime" or "of Statewide Importance" (See Figure 4-1, "Important Farmland", Master Environmental Impact Report). The Master Environmental Impact Report presents a detailed analysis of the characteristics of this farmland. Prime Farmland is the most suitable for a variety of agricultural uses based on soil characteristics, irrigation, and other indicators. Farmland of Statewide Importance is distinguished from Prime Farmland because it is less desirable with respect to rooting depth, permeability, salinity or alkalinity, and/or erosion hazard. These classifications do not provide information about actual productivity of the land, which is also affected by availability of irrigation water, and the use of agricultural management techniques. Many

valuable commodities (for example, milk) are produced in areas with relatively poor soils.

The displacement of Productive Agricultural Soils by urban uses represents a "significant environmental effect which cannot be avoided." The Project Objectives of the General Plan, as presented in Chapter I require an urban development pattern to be introduced into all areas depicted on the General Plan Land Use Diagram. Given the magnitude of the significant environmental impacts to Agriculture, no mitigation is available, over the long term, which would reduce these impacts to an insignificant level.

At best, the City can strive to ensure that productive agricultural operations can remain intact as long as possible. Until urban development plans are approved, the premature loss of productive agriculture operations should be minimized.

2. Agriculture Policies - Baseline Developed Area

- a. If a subsequent project is within the Baseline Developed Area or Redevelopment Area as identified on the General Plan Growth Strategy Diagram (Figure II-1), the project shall be considered to have minimal effect on the conversion of agricultural lands, and no mitigation for that impact is required.

3. Agriculture Policies - Planned Urbanizing Area

The following policies apply to new development proposed in the Planned Urbanizing Area:

- a. The City will not annex agricultural land unless urban development consistent with the General Plan has been approved by the City.
- b. The City shall support the continuation of agricultural uses on lands designated for urban uses until urban development is imminent.
- c. The city shall encourage the County to retain agricultural uses on lands surrounding the General Plan area and on lands within the General Plan area pending their annexation to the city or development by mutual agreement with the County.
- d. Where necessary to promote planned City growth, the City shall encourage development of those agricultural lands that are already compromised by adjacent urban development or contain property required for the extension of infrastructure or other public facilities, before considering urban development on agricultural lands that are not subject to such urban pressures.
- e. The General Plan should attempt to minimize the loss of agricultural land by having future development be relatively compact and of reasonably high density.

- f. For any subsequent project that is adjacent to an existing agricultural use, the project proponent may incorporate measures to reduce the potential for conflicts with the agricultural use. Potential measures to be implemented may include the following:
- (1) Include a buffer zone of sufficient width between proposed residences and the agricultural use.
 - (2) Restrict the intensity of residential uses adjacent to agricultural lands.
 - (3) Inform residents about the possible exposure to agricultural chemicals.
 - (4) Where feasible and permitted by law, explore opportunities for agricultural operators to cease the aerial spraying of chemicals and use of heavy equipment near proposed residential uses.

4. Implementation

From time to time, the City may adopt subsequent plans or policy documents to implement some or all of the policies listed above. These subsequent policy documents will be considered "anticipated subsequent projects" in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

E. WILDLIFE AND OTHER NATURAL RESOURCES

1. Overview

This Section is intended to comply with Section 65302(d) of the Government Code regarding "...conservation, development, and utilization of natural resources including...wildlife...and other natural resources...".

The Modesto Urban Area hosts a variety of natural and altered habitats supporting a diverse assemblage of plant and animal species. Many of these species depend upon natural areas and linkages between natural areas for their survival. Other species are well adapted to and proliferate in urban areas. This second category of species may have deleterious impacts on native, sensitive, and other species which may lead to the reduction of biological diversity.

Eight habitat types, four natural and four human induced, supporting various plant communities and wildlife, have been identified within the City of Modesto's urban area:

- Valley Foothill Riparian
- Riverine
- Wetland

- Grassland
- Pasture
- Cropland
- Orchard-Vineyard
- Urban

Figure 7-1, in the Final Master Environmental Impact Report (Riparian Corridor Diagram), presents areas of the Modesto urban area where there is the greatest potential to impact wildlife and other natural resources.

2. Policies in the Baseline Developed Area

- a. For proposed development consistent with the General Plan on lands within the Baseline Developed Area and Redevelopment Plan Area, exclusive of lands within the Dry Creek and Tuolumne River Comprehensive Planning Districts, no further biological study is warranted unless specific information concerning the known or potential presence of significant biological resources is identified in future updates of the California Natural Diversity Database, or through formal or informal input received from resource agencies or other qualified sources.

3. Policies in the Planned Urbanizing Area

Focused Environmental Impact Reports for Comprehensive Plans in the Planned Urbanizing Area shall incorporate the following measures.

- a. For all lands within the Planned Urbanizing Area, site specific surveys shall be conducted by a qualified biologist to determine whether any sensitive natural communities or species are present within the proposed development area. These studies shall particularly focus on proposed development within any lands included within a potential biological resource study area, as delineated on Figure 7-1 in the Final Master Environmental Impact Report (Riparian Corridor Diagram).

Surveys should be conducted at the appropriate season to best determine the likelihood of occurrence and should employ accepted methodologies as determined by the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS). The significant results of such surveys should be recorded onto the City's existing biological resources map for future planning purposes.

- b. All habitat found to contain or potentially contain sensitive species shall be avoided and preserved unless doing so would create, isolate and/or fragment habitat that would not function adequately as judged by a qualified biologist and/or that the proposed development layout would be so constrained as to make the development financially infeasible; avoided habitat areas shall also be

protected by fencing, signage and/or establishment of buffer zones as appropriate to the species or habitat involved. Generally, a minimum 100-foot buffer of undeveloped land would be necessary. The protected habitat shall contribute to the long-term conservation of the species and ecosystems on which they depend.

- c. Where formally listed species are determined present, consultation shall be carried out with the CDFG and/or USFWS in accordance with the California and/or federal Endangered Species Acts. Where candidate or other special status category of species are involved, informal consultation with these agencies is recommended. The recommendations of these agencies shall be incorporated into the development plan, unless overriding considerations can be demonstrated.
- d. Other measures to protect sensitive habitats may be implemented. Potential measures to be implemented may include those measures listed in Table 7-1 in the Final Master Environmental Impact Report.

F. ARCHAEOLOGICAL AND CULTURAL RESOURCES

1. Overview

Archaeological resources include material remains indicating the presence of Native Americans. Material remains include artifacts, which were made, used, or altered by people, such as lithic material, groundstone, discarded artifacts, and human remains. These are often found in midden deposits, a rich organic dark brown soil that contains charcoal, ash, and food waste. Intermittent use of an area by Native Americans can also be seen in lithic (stone) scatters, and food processing sites such as bedrock mortar sites or areas with mortars and pestles. Burial grounds or cemeteries are often associated with habitation.

Figure 8-1 in the Master Environmental Impact Report, presents areas of the Modesto Urban Area where there is the greatest potential to impact archaeological and cultural resources.

A number of resources have been identified within the Modesto Urban Area and environs. Specifically, four sites have been recorded at the Central California Information Center, Turlock, California. These areas include habitation sites, burials, artifacts concentrations, and are located near the Stanislaus and Tuolumne Rivers, Dry Creek, and terraces above waterways. However, information on prehistoric cultural resources in the Modesto Urban Area is limited as a result of development and limited archaeological research. Agricultural use, grazing, and urban expansion tend to erase evidence of cultural resources.

Historical resources generally include structures (residential, commercial, civic) and deposits relating to historic occupation of an area. In the Modesto Urban Area, historic cultural resources are primarily found within the urban area. Many of these cultural

resources have been placed on various preservation lists. Four buildings and a historic bridge are listed on the National Register of Historic Places. In addition, 120 properties are listed on the Directory of Determination of Eligibility (1990) for the National Register of Historic Places. Properties are also listed on the California Points of Historical Interest (1992) and the California Inventory of Historic Resources (1978). The City of Modesto's Landmark Preservation List in 1995 includes 19 properties, with 442 properties surveyed for potential inclusion onto the Preservation List.

Additional resources exist below the ground. Remnants of razed buildings exist below the surface with related deposits such as trash pits. These sub-surface features are some of the only evidence of past activities, enterprises, and peoples.

2. Policies in the Redevelopment Area and Baseline Developed Area

- a. For all proposed development within an archaeological resource study area (as depicted on Figure 8-1 in the Master Environmental Impact Report), a combination of archival research, particularly through the Central California Information Center at Turlock, and preliminary surface field reconnaissance shall be employed to identify any areas that may have been used by Native Americans. Areas containing prehistoric deposits shall be mapped with evaluation of their significance following only in those areas where proposed development might affect the resources.

Where proposed development could affect the resources, the City shall consult Table 8-1 in the Master Environmental Impact Report for the steps to be implemented.

- b. For proposed development outside an identified archaeological resource study area (as depicted on Figure 8-1 in the Master Environmental Impact Report), no further research for prehistoric deposits is warranted unless specific information concerning the known or potential presence of significant cultural resources is identified in future updates at the applicable cultural resource information repository or through formal or informal input received from a qualified source. If previously unknown subsurface cultural resources are discovered during excavation activities, excavation would be temporarily halted and an archaeologist consulted as to the importance of the resources. Should the archaeologist determine that the resources are important, the project sponsor would follow the procedure described in Policy 2-a, above.
- c. The City of Modesto shall implement regulations which identify important historic resources, and establish regulations to preserve the important aspects of those resources. The City could encourage adaptive reuse of listed buildings, including historically sensitive restoration, as a means of preserving eligible structures. Restoration and renovation of buildings should be performed in accordance with the "Secretary of the Interior's Standards for the Treatment of

Historic Properties" and the State Historic Building Code. The standards serve as guidelines for rehabilitation, restoration, preservation, retaining, and preserving historic character of a property.

- d. The City shall ensure that zoning provisions for structures of historical significance are sufficiently flexible to ensure that parking or other structures requirements of the Zoning Ordinance allow the historic structures to remain viable in the future.
- e. If archaeological resources are discovered at any time during construction, all activity shall cease, until the site is surveyed by a qualified archaeologist. The survey shall include mitigation measures, which shall be implemented before construction resumes. The survey shall follow the criteria presented in Appendix K of the CEQA Guidelines.
- f. When structures or areas of historical significance over 45 years old are proposed for demolition, alteration, or where construction is proposed within 100 feet of that structure, the applicant shall submit data to the City regarding the structure's history or locations prepared by a qualified architectural historian. The City shall evaluate the historical significance of the proposal and require measures be implemented to preserve all structures and places it deems historically significant.

4. Policies in the Planned Urbanizing Area

- a. Policies for the Planned Urbanizing Area are the same as those presented for the Baseline Developed Area.

G. NOISE

1. Overview

Noise pollution is recognized as a significant source of environmental degradation. In an effort to improve the quality of life in urban areas, California planning law requires every general plan to address local noise issues (Government Code Section 65302(f)). This Section of the General Plan identifies the community's noise goals and establishes its policies to reduce noise pollution. The policies presented in this Section were derived from mitigation measures established in the Master Environmental Impact Report, which in turn recognized the guidelines established by the State Office of Noise Control (Dept. of Health Services).

A "Noise Contour Map" (Figure VII-1) connects with closed lines those locations subject to the same average noise levels.

Figure VII-1 shows projected traffic noise levels at General Plan buildout generated by traffic, the airport, and the railroad. The noise contour data is also provided in the Master

EIR. The Day-Night Average Sound Level (Ldn) used in Figure VII-1 is a 24-hour average of the sound levels with a 10-dB nighttime weighting factor applied to account for the general principle that nighttime noise is more annoying than daytime noise. The decibel (dB) scale is logarithmic; a 3 dB difference is barely discernable to most people, and a 10 dB increase is subjectively heard as a doubling of noise. Every-day sounds normally range from 30 dB (very quiet) to 100 dB (very loud). All noise levels (dB) described in the Noise Element are considered to be A-weighted, unless specifically described as otherwise.

For planning purposes, the 60 Ldn contours represent "Noise Potential Impact Zones." These Impact Zones represent areas potentially impacted by noise sources in the community, including the following:

- a. Roadways. Noise sources which contribute significantly to the noise environment in the Modesto urban area include three highways, State Route 99 (SR 99), SR 132, and SR 108; various arterials; railroads; and the Modesto City-County Airport. Of the various roadways, highest sound levels occur along SR 99, as a result of its relatively high traffic volume and truck traffic. Caltrans has installed sound barriers along two portions of SR 99. In general, other roadways in the City are level and at grade with adjacent properties.

In addition to SRs 99, 108, and 132, truck routes in Modesto include all or portions of the following:

- Standiford/Sylvan Avenue
- Briggsmore Avenue
- Kansas Avenue/Needham Avenue
- Scenic Drive
- Carpenter Road
- Tuolumne Boulevard
- Empire Avenue
- S. Santa Cruz Avenue
- Santa Rosa Avenue
- El Vista Avenue/Oakdale Road
- Seventh Street
- Ninth Street
- Fourteenth Street
- Seventeenth Street
- Eighteenth Street
- Paradise Road
- Woodland Avenue

The City of Modesto will continue to coordinate with Stanislaus County, Stanislaus Area Association of Governments, and the California Department of Transportation regarding roadway improvements and traffic forecasts so that each

of these agencies can more accurately predict the need for additional noise abatement along their respective road networks.

- b. Railroad System. The City of Modesto is a regional distribution center for commercial products, and a considerable portion of the business activity in the area is related to warehousing, transportation and the processing of foods, wine and related products. The City of Modesto is served by four railroads: the Southern Pacific Transportation Company; the Santa Fe Railroad; the Union Pacific Railroad; and the Modesto and Empire Traction Company. The Southern Pacific Railroad has approximately 16 to 18 train operations per day. The Santa Fe Railroad, which runs adjacent and parallel to Santa Fe Avenue on the eastern edge of Modesto has 18 freight train and four AMTRAK operations per day.
- c. Airport. The Modesto City-County Airport is located in the southeastern portion of the City. Residential areas are adjacent to the airport to the west and northwest. The airport had an annual total of 110,333 operations in 1990, and was forecast to have 146,750 annual operations in 1995 (P&D Technologies, 1992). The 1990 operations included commuter air carrier and general aviation; a small number of additional air carrier operations are forecasted for 1995. Other aviation-related noise sources include heliports, helipads, and noise related to hospital transportation services, such as Medi-Flight.
- d. Industry. Another potential sound source is industrial plant facilities. Sound measurements were taken at Proctor & Gamble and Gallo Wineries in 1992 by Recon Environmental Corp. Proctor & Gamble operates 24 hours per day. Mechanical equipment at the Proctor & Gamble facility includes cooling towers and a diesel engine inside one of the buildings, which is equipped with a muffler. This engine operates for one-half hour per month in the evening period of 5:00 to 8:00 P.M. Truck traffic at Proctor & Gamble is variable, but the typical volume is 12 truck round trips per day. The Gallo Winery operates 24 hours per day. However, the Gallo facility does not have significant outdoor mechanical equipment nor indoor mechanical equipment vented to the outside.
- e. Miscellaneous Domestic Noise Sources. A large number of noise complaints are registered concerning barking dogs. One or more complaints on this matter are received every day, as reported by the City of Modesto Police Department. Other complaints, as reported by the Police Department, relate to persons working on automobiles in private garages, improper functioning of mufflers, and loud parties, as well as athletic events and other assemblies.

2. Sensitive Receptors

Sensitive noise receptors are persons and facilities which could be adversely affected by noise. Sensitive receptors in Modesto include residences, hospitals, parks, churches and schools. Modesto Junior College is located within the City limits and has two campuses.

EIR. The Day-Night Average Sound Level (Ldn) used in Figure VII-1 is a 24-hour average of the sound levels with a 10-dB nighttime weighting factor applied to account for the general principle that nighttime noise is more annoying than daytime noise. The decibel (dB) scale is logarithmic; a 3 dB difference is barely discernable to most people, and a 10 dB increase is subjectively heard as a doubling of noise. Every-day sounds normally range from 30 dB (very quiet) to 100 dB (very loud). All noise levels (dB) described in the Noise Element are considered to be A-weighted, unless specifically described as otherwise.

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- Empire Avenue
- S. Santa Cruz Avenue
- Santa Rosa Avenue
- El Vista Avenue/Oakdale Road
- Seventh Street
- Ninth Street
- Fourteenth Street
- Seventeenth Street
- Eighteenth Street
- Paradise Road
- Woodland Avenue

The City of Modesto will continue to coordinate with Stanislaus County, Stanislaus Area Association of Governments, and the California Department of Transportation regarding roadway improvements and traffic forecasts so that each

- c. For new single-family residential development within the Ldn 65 contour, the City of Modesto shall require developers to demonstrate that the proposed development will incorporate measures to reduce noise impacts to a less-than-significant level, as follows:
 - (1) Where feasible and consistent with General Plan policy, incorporate setbacks and/or locate less-sensitive uses between a noise source and noise-sensitive uses.
 - (2) Provide (to the extent feasible and consistent with General Plan policy) berms, barriers, or other techniques to shield noise-sensitive uses.
 - (3) Incorporate construction techniques to achieve an interior noise limit of 45 Ldn (these potential techniques are presented in CCR Title 24 standards).
- d. The City of Modesto shall use the most recent noise contour map to implement the requirements of Noise Insulation Standards contained in Title 24 of the California Code of Regulations. (Title 24 applies to multi-family housing, not single-family.) Title 24 also specifies minimum values for the sound insulation afforded by interior partitions separating different dwelling units from each other and from interior common space.
- e. For proposed non-residential uses, where noise mitigation is deemed necessary for new developments to meet the exterior noise land use compatibility guidelines (Figure VII-2), the City of Modesto shall require developers to demonstrate that the proposed development will incorporate measures to reduce noise impacts to a less-than-significant level, as follows:
 - (1) Where feasible and consistent with General Plan policy, incorporate setbacks and/or locate less-sensitive uses between a noise source and noise-sensitive uses.
 - (2) Provide (to the extent feasible and consistent with General Plan policy) berms, barriers, or other techniques to shield noise-sensitive uses from noise sources.
 - (3) Incorporate construction techniques to achieve specified interior noise limits. One source that can be used for such specifications is the "Recommended Maximum Interior Noise Level Criteria for Intermittent Noise," (Table 2, Noise Insulation Problems in Buildings, Paul S. Veneklasen & Associates, January 1973).
- f. With road extension, widening and upgrade projects, the City of Modesto shall implement, as feasible, techniques to minimize noise impacts on adjacent uses. Potentially available techniques may include:

The larger parks in Modesto include Davis Park on Rumble Road, Thousand Oaks Park south of Scenic Drive, and Legion Park at South Santa Cruz Avenue. The high schools in Modesto include Beyer, Davis, Downey, Johansen, and Modesto. There are approximately 10 senior housing facilities in Modesto, including Ralston Tower, a 14-story building at I and 17th Streets; there are also several rest homes. Hospitals in Modesto include Doctor's Medical Center on Florida Avenue, Memorial Medical Center on Coffee Road, and Stanislaus Medical Center on Scenic Drive.

3. Noise Mitigation Policies - Baseline Developed Area

All development projects located within the Baseline Developed Area (and Redevelopment Area) shall be required to incorporate the following measures into the project.

- a. The City of Modesto shall require noise-reducing construction practices to be implemented as conditions of approval for development projects where substantial construction-related noise impacts would be likely to occur (e.g. where construction would include extended periods of pile driving, where construction would occur over an unusually long period, or where noise-sensitive uses like homes and schools would be in the immediate vicinity, etc.). The City should consider potential mitigation measures, including, but not limited to, the following:
 - (1) Construction equipment and vehicles should be equipped with properly operating mufflers according to the manufacturers' recommendations. Air compressors and pneumatic equipment should be equipped with mufflers, and impact tools should be equipped with shrouds or shields.
 - (2) Other proposed uses: the noise/land use compatibility guidelines (ie., those noise levels which are "conditionally acceptable," "normally unacceptable," or "clearly unacceptable,") shown on Figure VII-2 and the most recent noise contours for the City shown in Figure VII-1.
- b. During City review of a proposed project consistent with the updated General Plan, the City of Modesto shall use the following guidelines to decide whether to require additional study and/or mitigation:
 - (1) Single-family Residential uses: the Ldn 65 contour, as depicted on the most recent noise contours for the City, shown in Figure VII-1.
 - (2) Other proposed uses: the noise/land compatibility guidelines (ie., those noise levels which are "conditionally acceptable," "normally unacceptable," or "clearly unacceptable,") shown on Figure VII-2 and the most recent noise contours for the City shown in Figure VII-1.

- b. All Noise Mitigation Policies adopted for the Baseline Developed Area apply equally in the Planned Urbanizing Area.

H. AIR QUALITY

1. Overview

Local government's responsibility for air quality increased significantly with the passage of the California Clean Air Act (1988) and the 1990 Amendment to the Federal Clean Air Act. Both of these pieces of legislation place new emphasis on reducing motor vehicle trips and vehicle miles traveled at the local level. Although the San Joaquin Valley Unified Air Pollution Control District is required to include transportation control measures and indirect source programs in its Air Quality Attainment Plan, cities and counties through their Councils of Government are responsible for most implementation.

Local government responsibilities for air quality are found in four areas: (1) land use planning; (2) reviewing and mitigating the environmental impacts of development projects; (3) developing and maintaining the transportation infrastructure in the community, including transit systems; (4) implementing local air quality programs such as commute-based trip reduction and rideshare. In order to assist cities in achieving these responsibilities, the San Joaquin Valley Unified Air Pollution Control District published, in 1994, a document entitled "Air Quality Guidelines for General Plans." Concurrently, the Master Environmental Impact Report utilized many of the recommended policies from this District publication, as a comprehensive set of principles designed to mitigate air quality impacts.

2. Air Quality Policies

The Air Quality mitigation measures presented in the Master EIR have been distributed throughout the General Plan Chapters, recognizing the comprehensive structure of this integrated policy document. In addition, the following policies shall apply throughout the General Plan Area.

- a. The City of Modesto shall implement measures to reduce motor vehicle use and related ozone precursor and PM₁₀ emissions through changes to the transportation infrastructure. Potential measures to be implemented may include those measures listed in Table 2-2 in the Final Master Environmental Impact Report.
- b. The City of Modesto and project proponents shall implement measures to reduce vehicle use and associated emissions related to existing and future land use development in the City of Modesto. Potential measures to be implemented may include those measures listed in Table 2-3 in the Final Master Environmental Impact Report.

- c. The City of Modesto shall implement measures to reduce emissions associated with energy use by residences and businesses. Potential measures to be implemented may include those measures listed in Table 2-4 in the Final Master Environmental Impact Report.
- d. The City of Modesto recognizes the efforts of the San Joaquin Valley Unified Air Pollution Control District, to identify the cumulative transportation and air quality impacts of all general plan amendments approved during the previous year. This measure is intended to track the effectiveness of current air-quality-related programs and guide revision to these programs through periodic review of cumulative air quality impacts in the City.
- e. The City may adopt a Trip Reduction Ordinance which may include the following measures, most of which require implementation at the employer level:
 - (1) In-house matching services (for carpools and vanpools) at employers with over 100 weekday employees, or at large development sites occupied by several smaller employers, or coordination with Caltrans' "Commuter Computer" program;
 - (2) Employer-based dissemination of commute information;
 - (3) Employer subsidies for transit passes and incorporation of transit stop facilities into site design;
 - (4) A program to guarantee rideshare participants a ride home in case of emergency;
 - (5) Flex-time scheduling;
 - (6) Site plan design which encourage pedestrian movement between adjacent land uses;
 - (7) Incentives such as preferred parking for carpoolers;
 - (8) Encouraging submission of site plans featuring mixed land-uses or "neo-traditional" design; and
 - (9) Encouraging employers to experiment with telecommuting options, where feasible.

The following policies are intended to reduce air quality impacts through inter-agency coordination:

- f. The City of Modesto shall work with neighboring jurisdictions and affected agencies to address cross-jurisdictional and regional transportation and air quality issues.
- g. The City of Modesto shall coordinate with other jurisdictions and other regional agencies in the San Joaquin valley to establish parallel air quality programs and implementation measures (trip reduction ordinances, indirect source programs, etc.).
- h. The City of Modesto shall implement measures to reduce emissions associated with future development through the CEQA review process. Table 2-5 in the MEIR describes those measures to be implemented, as well as additional measures which may be implemented at the discretion of the City.

The following policies are intended to reduce air quality impacts through public outreach and education programs:

- i. The City of Modesto shall work to improve the public's understanding of the land use, transportation, and air quality link.
- j. The City of Modesto shall encourage local public and private groups to provide air quality education programs.

The following policies are intended to minimize exposure of the public to toxic air contaminants (TACs) and noxious odors from industrial, manufacturing, and processing facilities:

- k. The City of Modesto should encourage new air pollution sources such as, but not limited to, industrial, manufacturing, and processing facilities to be located an adequate distance (based on pollutant dispersion characteristics, site orientation, prevailing winds, etc.) from residential areas and other sensitive receptors.
- l. The City of Modesto should implement measures to reduce the temporary, yet potentially significant, local air quality impacts from construction activities. Potential measures to be implemented may include those measures listed in Table 2-6 in the Master Environmental Impact Report.
- m. The City of Modesto shall require residential development projects and projects categorized as sensitive receptors (hospitals, schools, convalescent homes, etc.) To be located an adequate distance from existing and potential sources of toxic and/or odorous emissions such as freeways, major arterials, industrial sites, refuse transfer or disposal sites and hazardous material locations.

I. ENERGY CONSERVATION

1. Overview

The California Environmental Quality Act identifies energy conservation as a goal in community development. Under the CEQA Guidelines, a project may have a significant environmental impact if it will "use fuel, water, or energy in a wasteful manner." The following policies employed by the City provide sufficient mitigation for those impacts.

- a. The City of Modesto shall require shade trees, where feasible and appropriate, in landscape plans for all new development proposals. The City shall develop shade-tree specifications for different land uses (residential, commercial, parking lots, etc.) including appropriate types of trees (size, deciduous or evergreen, absence or lower branches, etc), locations (e.g., distance from structures), density (i.e. within a subdivision or parking lot), and orientation (trees on the west side of a building generally provide the most benefit) for use in landscape plans.
- b. The City of Modesto shall encourage the Modesto and Turlock Irrigation District to establish and promote a program whereby existing residential and commercial building owners are provided incentives to increase the number of shade trees in developed parts of the City. The City shall also provide information on appropriate types of trees and their locations to maximize the energy savings from the program.
- c. The City of Modesto shall coordinate with the Modesto and Turlock Irrigation Districts (for electricity) and Pacific Gas & Electric Company (for natural gas) on all new, large-scale, development proposals in the City.

3. Implementation of Energy Conservation Policies

New building projects are subject to review to ensure use of energy efficient materials and methods of construction, in accordance with Title 24 of the California Code of Regulations.



CITY OF MODESTO GENERAL PLAN PROGRAM

Figure VII - 1
NOISE CONTOURS

LEGEND

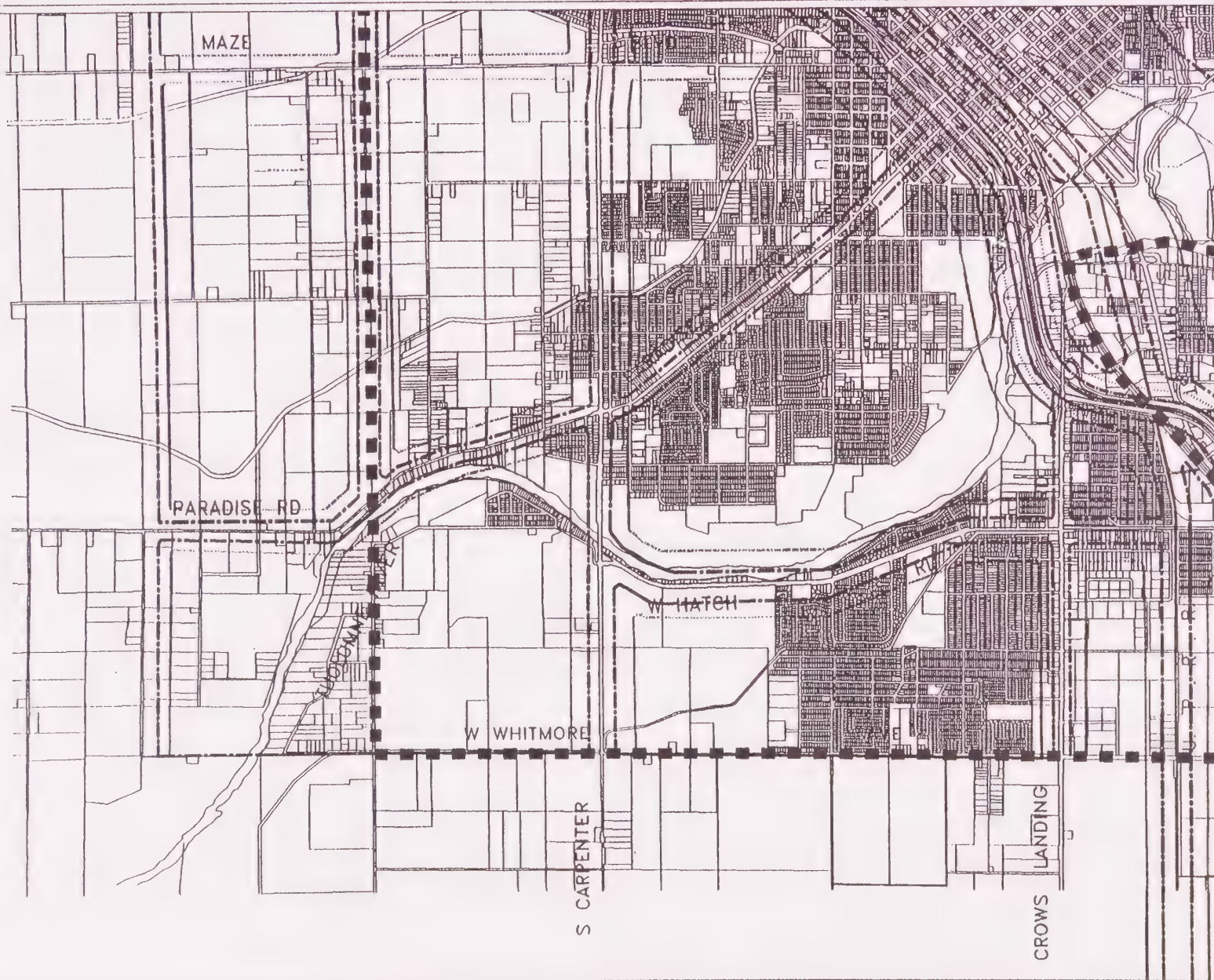
- 60 LBN
- 65 LBN
- 70 LBN
- 75 LBN
- GENERAL PLAN BOUNDARY

DAY NIGHT AVERAGE SOUND LEVEL (DNL)
(60 DECIBEL (LBN), 65 LBN, 70 LBN NOISE CONTOURS)

- REFERENCE POINTS
(for illustration only; not depicted)
- STREET
 - FREEWAY
 - RAILROAD
 - RIVER



DC 2 PM
JAN 15, 1990





CITY OF MODESTO GENERAL PLAN PROGRAM

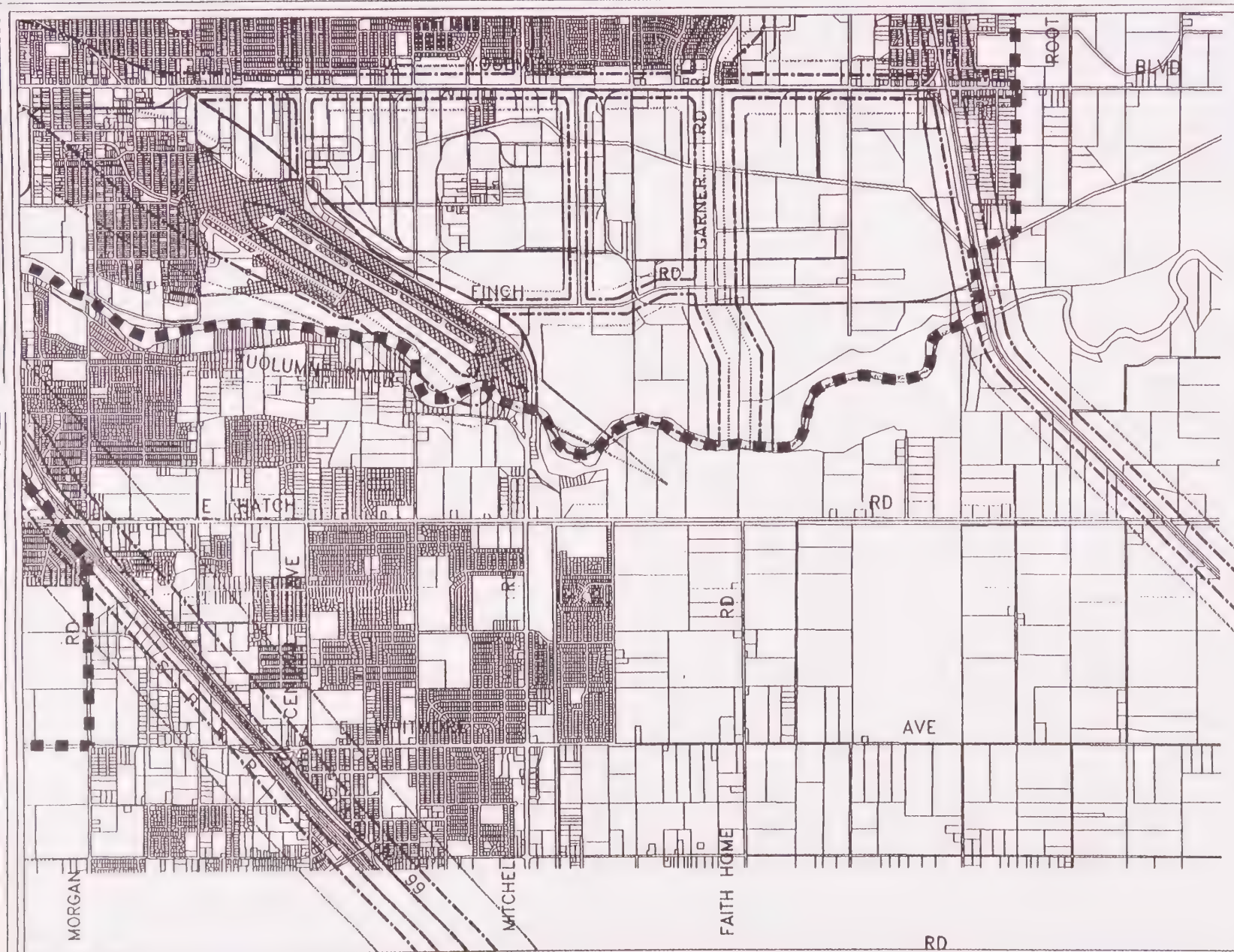
Figure VII - 1
NOISE CONTOURS

LEGEND

-----	80LDN
-----	85LDN
-----	90LDN
-----	95LDN
-----	GENERAL PLAN BOUNDARY

DAY NIGHT AVERAGE SOUND LEVEL (LDN)
(60 DECIBEL (LDN), 65 LDN, 70 LDN, 75 LDN)

-----	STREET
-----	FREEWAY
-----	RAILROAD
-----	RIVER





CITY OF MODESTO GENERAL PLAN PROGRAM

Figure VII - 1
NOISE CONTOURS

LEGEND

- 60LDN
- 65LDN
- 70LDN
- 75LDN
- GENERAL PLAN BOUNDARY

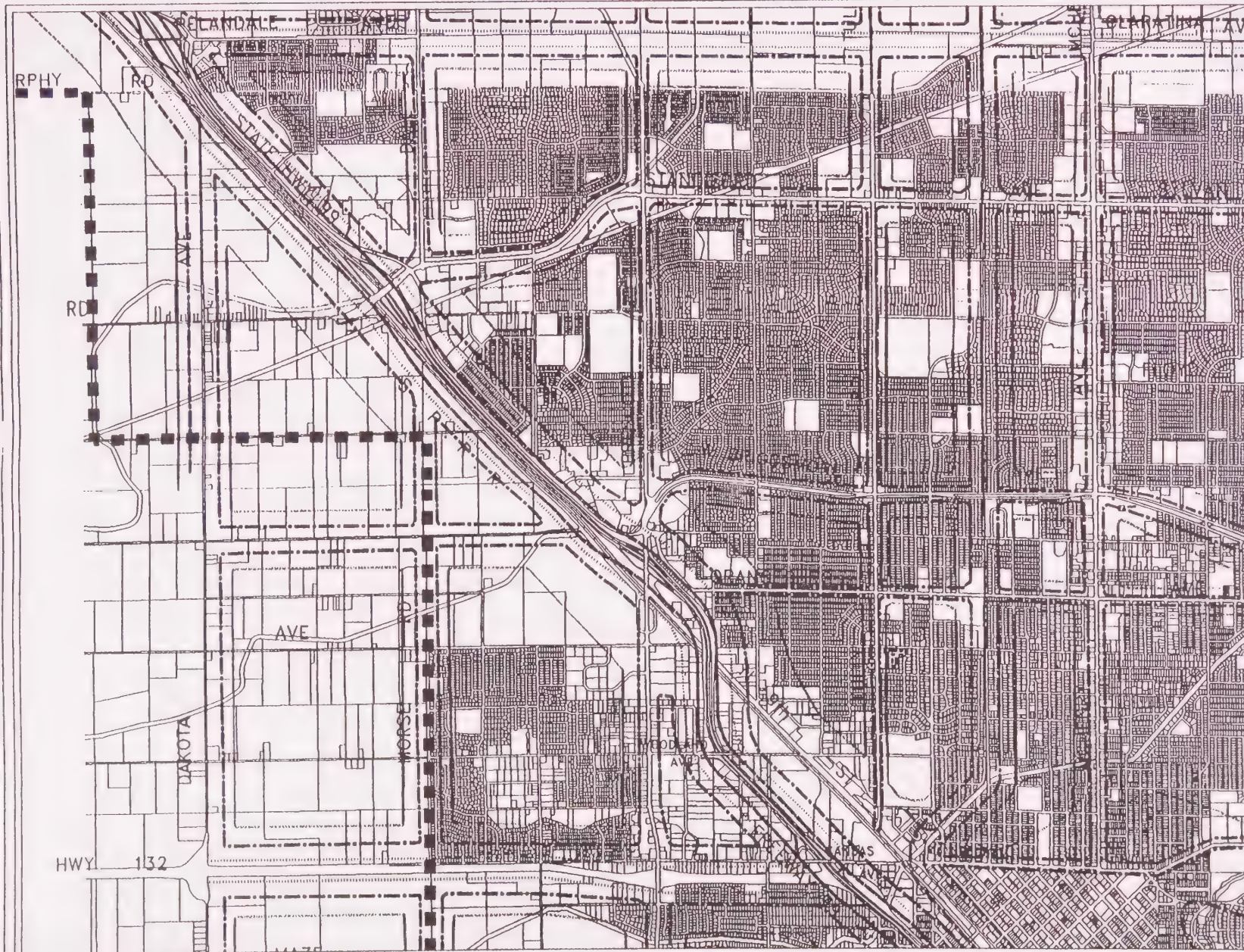
DAY NIGHT AVERAGE SOUND LEVEL (LDN)
(60 DECIBEL (LDN), 65 LDN, 70 LDN, 75 LDN)

REFERENCE POINTS (For distance only, not adopted)

- STREETS
- FREEWAY
- RAILROAD
- RIVERS



HC 376
MAY 14, 1990





CITY OF MODESTO GENERAL PLAN PROGRAM

Figure VII - 1
NOISE CONTOURS

LEGEND

- 80LDN
- 80LDN
- 70LDN
- 70LDN
- GENERAL PLAN BOUNDARY

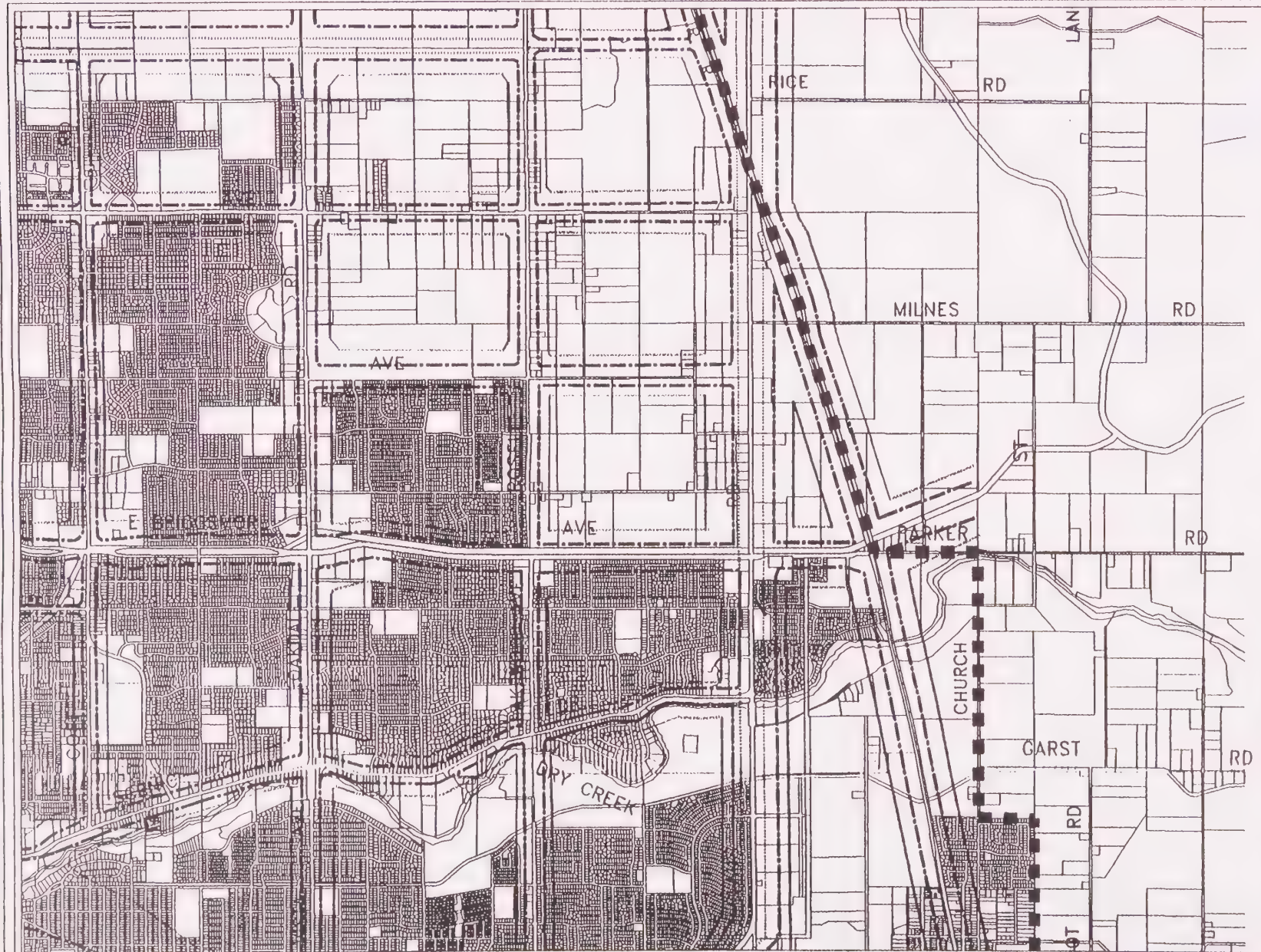
DAY NIGHT AVERAGE SOUND LEVEL (LDN)
(60 DECIBEL LDN), 80 LDN, 70 LDN NOISE CONTOURS

REFERENCE POINTS (for illustration only, not adopted)

- STREET
- FREWAY
- RAILROAD
- RIVER



UC 390
AUG 18, 1988





CITY OF MODESTO GENERAL PLAN PROGRAM

Figure VII - 1
NOISE CONTOURS

LEGEND

- 80LDN
- 60LDN
- 70LDN
- 75LDN
- GENERAL PLAN BOUNDARY

DAY NIGHT AVERAGE SOUND LEVEL (LDN)
(60 DECIBEL, 65 LDN, 70 LDN, 75 LDN) NOISE CONTOURS

- RAILROAD POINTS
(for structures only, not at grade)
- STREETS
- FREEWAY
- RAILROADS
- RIVERS



DC 970
AAT 10, 1990





CITY OF MODESTO GENERAL PLAN PROGRAM

Figure VII - 1
NOISE CONTOURS

LEGEND

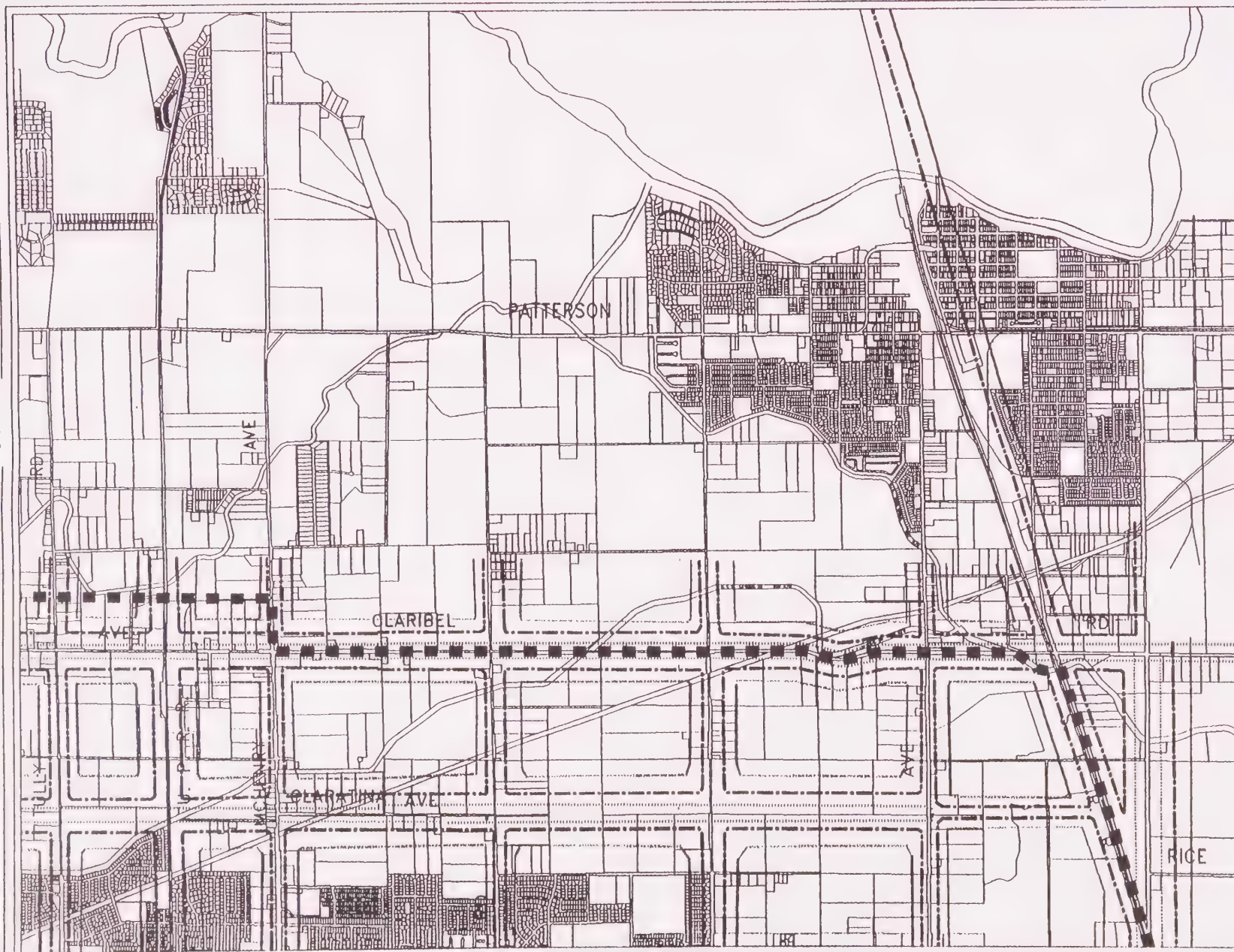
- SOLIDW
- SOLIDW
- TOLDW
- YOLDW
- GENERAL PLAN BOUNDARY

DAY NIGHT AVERAGE SOUND LEVEL (DNM)
(60 DECIBEL (DNM), 65 TO 70 LDM NOISE CONTOURS

- REFERENCE POINTS
(For illustration only, not adopted)
- STREETS
 - FREEWAY
 - RAILROADS
 - RIVERS



10' 0" 20' 0" 40' 0" 80' 0" 160' 0"
1/4" = 1 MILE
DATE 12-19-1999



LAND USE CATEGORY	COMMUNITY NOISE EXP. Ldn OR CNELdB					
	55	60	65	70	75	80
RESIDENTIAL LOW-DENSITY SINGLE FAMILY, DUPLEX, MOBILE HOMES						
RESIDENTIAL MULTI-FAMILY						
TRANSIENT LODGING- MOTELS, HOTELS						
SCHOOLS, LIBRARIES, CHURCHES, HOSPITALS, NURSING HOMES						
AUDITORIUMS, CONCERT HALLS, AMPHITHEATRES						
SPORTS ARENA, OUTDOOR SPECTATOR SPORTS						
PLAYGROUNDS, NEIGHBORHOOD PARKS						
GOLF COURSES, RIDING STABLES, WATER RECREATION, CEMETERIES						
OFFICE BUILDINGS, BUSINESS COMMERCIAL AND PROFESSIONAL						
INDUSTRIAL, MANUFACTURING UTILITIES, AGRICULTURE						

INTERPRETATION



NORMALLY ACCEPTABLE

Specific land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.



CONDITIONALLY ACCEPTABLE

New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements has been made and needed noise insulation features have been included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.



NORMALLY UNACCEPTABLE

New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made, and needed noise insulation features must be included in the design.



CLEARLY UNACCEPTABLE

New construction or development should generally not be undertaken.

Source: Guidelines for the preparation and content of Noise Elements of General Plan. Prepared by the California State Office of Noise Control.

Figure VII-2
LAND USE COMPATIBILITY
FOR COMMUNITY NOISE
ENVIRONMENTS

CHAPTER VIII

GENERAL PLAN IMPLEMENTATION

VIII. GENERAL PLAN IMPLEMENTATION

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CHAPTER VIII

GENERAL PLAN IMPLEMENTATION

A. INTRODUCTION

Chapter VIII, General Plan Implementation, presents a variety of tools available to the City to help build the physical city envisioned in Chapter III.

While the Modesto Urban Area General Plan provides a comprehensive "vision" for the future physical development of the City, the General Plan can only be successful if the vision is realistic, and can be implemented. The City implements the General Plan through the review of privately-initiated development requests, such as subdivisions, rezonings, conditional use permits, and building permits. In addition, the City undertakes public development through redevelopment and construction of infrastructure. Finally, the City considers a variety of administrative and financial tools which facilitate public and private development activities. This Chapter presents the tools to guide development in the City by implementing the policies contained in earlier chapters.

B. SUBMISSION AND APPROVAL OF SUBSEQUENT PROJECTS

In order to utilize the Master Environmental Impact Report concept, Section 21157(b)(2)D of the Public Resources Code, requires the Master EIR to include "A capital outlay or capital improvement program, or other scheduling or implementing device that governs the submission and approval of subsequent projects" (emphasis added). Sections VIII-C through VIII-T, which follow, present those implementing devices which meet the State law requirements of 21157(b)(2)(D).

C. SPHERE OF INFLUENCE

The Sphere of Influence is defined by Section 56076 of the Government Code as a "plan for the probable physical boundaries and service area of a local agency." The Sphere of Influence is adopted by the Local Agency Formation Commission (LAFCO), in accordance with Section 56425 of the Government Code. Following adoption of the Modesto Urban Area General Plan, Modesto's Sphere of Influence should be expanded to include the Planned Urbanizing Area boundaries as presented on the Growth Strategy Diagram. In this way, land use policy direction would be provided for all land within the (expanded) Sphere of Influence.

Implementation Device Governing the Submission and Approval of the Sphere of Influence

The Stanislaus County LAFCO uses the City of Modesto's Sphere of Influence as a guide for approving annexations, technically called reorganizations, to the City of Modesto. Criteria for adopting or amending a Sphere of Influence are defined in Section 56525(a) of the Government Code, as follows:

1. The present and planned land uses in the area, including agricultural and open space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the [LAFCO] commission determines that they are relevant to the agency.

D. ANNEXATION

Annexations, known technically as Reorganizations, are defined by Section 56017 of the Government Code as the "inclusion, attachment, or addition of territory to a city or district." Annexations, like Spheres of Influence, are approved by the Stanislaus County Local Agency Formation Commission.

Implementation Device Governing the Submission and Approval of an Annexation

Section 56841 of the Government Code provides guidance for the approval of Annexations, as follows:

56841. Factors to be considered in the review of a proposal shall include, but not limited to, all of the following:

- a. Population, population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.
- b. Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

"Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

- c. The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

- d. The conformity of both the proposal and its anticipated effects with both the adopted commission policies and priorities set forth in Section 56377.
- e. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.
- f. The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.
- g. Consistency with city or county general and specific plans.
- h. The sphere of influence of any local agency which may be applicable to the proposal being reviewed.
- i. The comments of any affected local agency.

E. COMPREHENSIVE PLANS

A "Comprehensive Plan" is a policy document defined exclusively by the City, and which serves to implement the "Comprehensive Planning District" concept presented in Section III-D. The Comprehensive Plan implements the City's General Plan by creating a bridge between general plan policies and individual development proposals. Ideally, a Comprehensive Plan directs all facets of future development; from the distribution of land uses to the location and sizing of supporting infrastructure, from methods of financing public improvements to standards of development.

A Comprehensive Plan (including a Specific Plan as defined by Section 65450 of the State Government Code) may directly impose exactions and payment schedules in conjunction with its capital improvement policies. The policies contained in the plan may establish the required "nexus" between the development exactions being imposed and the development-induced impacts being mitigated by those exactions. Establishment of a direct connection between impacts and exactions is important to ensure the legal defensibility of the exactions.

Implementation Device Governing the Submission and Approval of a Comprehensive Plan

Section 65453 provides the Adoption and Amendment procedure for Specific Plans. Comprehensive Plans shall be adopted in the same manner as Specific Plans. At least one hearing before the Planning Commission and City Council will be required, prior to adoption of the Comprehensive Plan by the City Council.

No Comprehensive Plan may be adopted or amended unless the proposed plan or amendment is consistent with the General Plan. In addition, no local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no

zoning ordinance may be adopted or amended within an area covered by a Comprehensive Plan unless it is consistent with the adopted Comprehensive Plan.

F. SPECIFIC PLANS

A form of Comprehensive Plan, known as a Specific Plan, may be used by the City to implement the Comprehensive Planning Districts presented in Chapter III. Specific Plans are authorized under Section 65450 of the Government Code for "the systematic implementation of the general plan for all or part of the area covered by the general plan." The contents of a specific plan are stated in Section 65451.

Implementation Device Governing the Submission and Approval of a Specific Plan

Section 65453 provides the Adoption and Amendment procedure for Specific Plans. At least one hearing before the Planning Commission and City Council will be required, prior to the adoption of the Specific Plan by the City Council.

No Specific Plan may be adopted or amended unless the proposed plan or amendment is consistent with the General Plan. In addition, no local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the adopted specific plan.

G. ZONING

Although city zoning is authorized by Section 65800 of the Government Code, Modesto, as a charter city, is not required to comply with this section. The City's Zoning Ordinance is Title X of the Modesto Municipal Code. The purpose of zoning is to regulate the use of buildings, structures, and land for industry, business, residences, open space including agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes.

Implementation Device Governing the Submission and Approval of Zoning

Title X of the Modesto Municipal Code governs the submission and approval of Zoning, which must be adopted by ordinance. At least one public hearing before the Planning commission and City Council will be required, prior to adoption of zoning by the City Council.

H. MISCELLANEOUS LAND USE PERMITS

The City processes a variety of permits which facilitate development. Examples include, but are not limited to, the following:

1. Conditional Use Permits (authorized under Section 10-2.2503 of the Modesto Municipal Code).

2. Variances (authorized under Section 10-2.2501 of the Modesto Municipal Code).
3. Building Permits (authorized under Title IX of the Modesto Municipal Code).

Implementation Device Governing the Submission and Approval of Miscellaneous Land Use Permits

The Modesto Municipal Code references above cite the adopted procedures governing the approval of those miscellaneous land use permits.

I. SUBDIVISIONS

Subdivisions are the process by which land is divided and subsequently developed. Subdivisions are governed by the Subdivision Map Act (Section 66410, et. seq. of the Government Code), and the City's Subdivision Regulations (Section 4-4.4101 et. seq. of the Modesto Municipal Code).

The creation of four or fewer lots is considered a minor subdivision, or parcel map. Five or more lots is a major subdivision. After approval of a Final Map, as defined by Section 66434 of the Government Code, the only subsequent approvals required for development are building permits.

Implementation Device Governing the Submission and Approval of Subdivisions

Section 66474 of the Government Code (Subdivision Map Act) allows the City to approve subdivisions, unless any are of the following findings are made:

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

J. DEVELOPMENT AGREEMENTS

Development Agreements are the means by which private developers and the City can each receive certain assurances regarding a given development proposal and its entitlements. Development Agreements are authorized by Chapter 4 (commencing with Section 65864) of the Government Code.

Implementation Device Governing the Submission and Approval of Development Agreements

Section 65865.2 of the Government Code specifies the minimum contents of a Development Agreement, as follows:

65865.2. A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The development agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that construction shall be commenced within a specified time and that the project or any phase thereof be completed within a specified time.

The agreement may also include terms and conditions relating to applicant financing of necessary public facilities and subsequent reimbursement over time.

Section 65867 of the Government Code requires a public hearing by the Planning Commission and City Council, prior to City Council adoption of a Development Agreement.

K. CAPITAL IMPROVEMENT PROGRAM

The Capital Improvement Program (CIP) guides the funding and construction of all public improvements constructed by the City, including roads, wastewater treatment facilities and lines, water lines, and parks.

Implementation Device Governing the Submission and Approval of the Capital Improvement Program

Section 65401 of the Government Code provides for a review of public works projects for conformity with the General Plan, as follows:

65401. If a general plan or part thereof has been adopted, within such time as may be fixed by the legislative body, each county or city officer, department, board, or commission, and each governmental body, commission, or board, including the governing body of any special district or school district, whose jurisdiction lies wholly or

partially within the county or city, whose functions include recommending, preparing plans for, or constructing, major public works, shall submit to the official agency, as designated by the respective county board of supervisors or city council, a list of the proposed public works recommended for planning, initiation or construction during the ensuing fiscal year. The official agency receiving the list of proposed public works shall list and classify all such recommendations and shall prepare a coordinated program of proposed public works for the ensuing fiscal year. Such coordinated program shall be submitted to the county or city planning agency for review and report to said official agency as to conformity with the adopted general plan or part thereof.

L. REDEVELOPMENT PLAN

The California Community Redevelopment Act of 1945 gives cities the authority to establish redevelopment agencies and gives these agencies the authority to attack problems of urban decay. To remedy these problems, agencies are given certain fundamental tools:

1. The authority to buy real property, including, if necessary, the power to use eminent domain.
2. The authority to sell real property without bidding.
3. The authority and obligation to relocate persons who have interests in property.
4. The authority to impose land use and development controls pursuant to a comprehensive plan of redevelopment.

Implementation Device Governing the Submission and Approval of a Redevelopment Plan

The authority to establish a redevelopment agency and the authority for a redevelopment agency to function as an agency, adopt a redevelopment plan and implement the plan is granted by the Community Redevelopment Law of the State of California (Health & Safety Code, § 33000 et seq.). Redevelopment agencies are therefore creations of the state. The Community Redevelopment Law provides that the agency and legislative body shall both conduct public hearings to approve the redevelopment plan (§ 33348, 33360). However, the more typical approach in cities and counties where the members of the legislative body are also members of the agency (as in the case in Modesto), is for the agency and legislative body to conduct a joint public hearing on the redevelopment plans (§ 33355).

M. PARKS FACILITIES PLANS

The City Parks and Recreation Department is charged with the responsibility of constructing and maintaining public parks and recreation facilities throughout the community. To guide development of these facilities, the City uses a variety of tools, which include, but are not limited to, the following: Parks Design Development Reports for Neighborhood, Community, and

Regional Parks; the McHenry Mansion Landscape Restoration Plan; Street Master Plan; and Bicycle Master Plan.

Implementation Device Governing the Submission and Approval of Parks Facilities Plans

Section 65401 of the Government Code provides for a review of public works projects for conformity with the General Plan, as follows:

65401. If a general plan or part thereof has been adopted, within such time as may be fixed by the legislative body, each county or city officer, department, board, or commission, and each governmental body, commission, or board, including the governing body of any special district or school district, whose jurisdiction lies wholly or partially within the county or city, whose functions include recommending, preparing plans for, or constructing, major public works, shall submit to the official agency, as designated by the respective county board of supervisors or city council, a list of the proposed public works recommended for planning, initiation or construction during the ensuing fiscal year. The official agency receiving the list of proposed public works shall list and classify all such recommendations and shall prepare a coordinated program of proposed public works for the ensuing fiscal year. Such coordinated program shall be submitted to the county or city planning agency for review and report to said official agency as to conformity with the adopted general plan or part thereof.

N. STANISLAUS COUNTY AIRPORT LAND USE PLAN

Section 21670 of the Public Utilities Code allows for the creation of comprehensive land use plans "that will provide for the orderly growth of each public airport and the area surrounding each public airport." In formulating a Land Use Plan, the Airport Land Use Commission may develop height restrictions on buildings, specify use of land, and determine building standards, including soundproofing adjacent to airports, within the planning area.

Implementation Device Governing the Submission and Adoption of the Stanislaus County Airport Land Use Plan

The Stanislaus County Airport Land Use Plan was adopted in 1978 in accordance with Section 21670 of the Public Utilities Code; it may be amended from time to time, as allowed by that Code.

O. HOUSEHOLD HAZARDOUS WASTE ELEMENT

Section 41500 of the Public Resources Code requires the City to adopt a Household Hazardous Waste Element, which identifies a program for safe collection, recycling, treatment, and disposal of hazardous wastes which are generated by households in the City and which should be separated from the solid waste stream.

Implementation Device Governing the Submission and Approval of the Household Hazardous Waste Element

Section 41500(a) of the Public Resources Code requires City Council adoption, and submittal to Stanislaus County, of the household hazardous waste element.

P. SOURCE REDUCTION AND RECYCLING ELEMENT

Section 41000 of the Public Resources Code requires the City to adopt a Source Reduction and Recycling Element to show the methods by which the City will reduce the amounts of solid waste disposed of by the City.

Implementation Device Governing the Submission and Approval of the Source Reduction and Recycling Element

Section 41000(a) of the Public Resources Code requires City Council adoption of the Source Reduction and Recycling Element, with the following components, which are further defined by State law:

1. A waste characterization component.
2. A source reduction component.
3. A recycling component.
4. A composting component.
5. A solid waste facility capacity component.
6. An education and public information component.
7. A funding component.
8. A special waste component.

Q. WASTEWATER MASTER PLAN

The City may develop a Wastewater Master Plan in order to construct, operate, and maintain various wastewater facilities. The purpose of the Wastewater Master Plan would be to implement the wastewater policies presented in Section V-D of this General Plan. In developing the Wastewater Master Plan, consideration shall be given to rehabilitation of existing facilities, expansion for current excess demand, and the timely expansion for future demand. As the City's population increases, the City shall update the Wastewater Master Plan as appropriate to adequately address the sewage collection and treatment needs anticipated at General Plan buildout.

Implementation Device Governing the Submission and Approval of the Wastewater Master Plan

The Wastewater Master Plan shall be considered an "anticipated subsequent project" in the context of Section 21157 of CEQA. However, because the specific facilities covered by this Wastewater Master Plan are not determined at this time, a Focused Environmental Impact Report

will be required prior to adoption of the Wastewater Master Plan. Preparation of a Focused Environmental Impact Report shall be undertaken in accordance with Section 21158 of CEQA.

R. WATER MASTER PLANS

The City may develop master plans such as a "conjunctive groundwater-surface-water management program" in order to construct, operate, and maintain various water facilities. The purpose of these master plans would be to implement the water policies presented in Section V-C of this General Plan.

Implementation Device Governing the Submission and Approval of Water Master Plans

These master plans shall be considered an "anticipated subsequent project" in the context of Section 21157 of CEQA. However, because the specific facilities covered by these master plans are not determined at this time, a Focused Environmental Impact Report will be required prior to adoption of these plans. Preparation of a Focused Environmental Impact Report shall be undertaken in accordance with Section 21158 of CEQA.

S. STORM WATER FACILITIES PLANS

Storm water drainage facilities may be constructed, operated, maintained and replaced in a manner that will provide the best possible service to the public, given the financial abilities and constraints of the City and of the private sector alike. In developing implementation plans, consideration may be given to rehabilitation of existing facilities, remediation of developed areas with inadequate levels of drainage service, and the timely expansion of the system for future development. The purpose of these facilities plans is to implement the policies contained in Section V-E of this General Plan.

Implementation Device Governing the Submission and Approval of Storm Water Facilities Plans

These facilities plans shall be considered an "anticipated subsequent project" in the context of Section 21157 of CEQA. However, because the specific facilities covered by these facilities are not determined at this time, a Focused Environmental Impact Report will be required prior to adoption of these plans. Preparation of a Focused Environmental Impact Report shall be undertaken in accordance with Section 21158 of CEQA.

T. PUBLIC FACILITIES FINANCING PLANS

There are a number of options available to local government to finance public facilities such as streets, sewers, water, drainage, schools, parks, fire and police stations, and public utilities. Examples of these options currently used or contemplated by the City of Modesto include, but are not limited to, the following: Mello-Roos Community Facilities Districts, Landscaping and Lighting Districts, Capital Facilities Fees Programs, Assessment Districts, Area of Benefit procedures, and a Long-Range Financial Plan.

Implementation Device Governing the Submission and Approval of Public Facilities Financing Plans

Virtually all of these public facilities are programmed for construction by a policy document such as a master plan or the Capital Improvement Program. Because the environmental review for these facilities would be focused on the policy documents, the financing of these facilities will not trigger subsequent environmental review. In 1994, Section 12 of Senate Bill 749 provided the Legislature's clarification of the definition of "Project" under Section 21065 of CEQA. Therefore, the above policy direction directly implements Section 21065, as clarified.

U.C. BERKELEY LIBRARIES



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